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THE TIMES

No. 64,522

TUESDAY DECEMBER 22 1992

45p

54 die in holiday jet crash at Faro airport

FROM MARTHA DE LA CAL
IN LISBON
AND MARK FULLER
IN AMSTERDAM

MORE than two hundred people, including three Britons, escaped the fiery crash of a Dutch holiday jet at Faro airport on Portugal's Algarve coast yesterday.

Fifty-four people died when a wing of the DC-10, operated by charter airline Martinair, touched the ground and burst into flames after landing in strong winds and driving rain. Last night Portuguese officials said some of the 286 survivors suffered serious injuries. The Britons were named as John Wans and his wife Sheila, and Gerald Sutherland.

The plane had taken off from Amsterdam early yesterday with mainly Dutch holidaymakers on a Christmas break. After abandoning a first attempt to land at Faro, the DC-10 crashed when making a second attempt in winds of more than 40mph and a downpour. The left wing apparently touched the ground, causing the aircraft to swerve off the runway, break up and burst into flames. Witnesses said there were two explosions and a ball of fire shot into the sky. The nose of the aircraft came to rest 30 yards off the runway near the sea.

After a wing touched the ground, the rear half of the plane burst into flames. "Then panic broke out in the cabin," Mariou Jonkerius, a survivor, said. "People were screaming and falling over one another. Stewards were walking around with head wounds. The fire services came quickly but went to the wrong side of the plane, as I could see it. As I was running from the plane, part of the fuselage exploded. In the terminal it was chaos. There were no provisions and people were walking around badly burned and screaming."

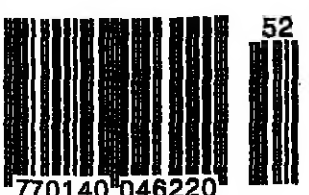
Survivors poured from the wreckage through emergency exits and through breaks in the fuselage. They were treated in hospitals in Faro and Beja, and the most severely burned and injured were transferred to hospitals in Lisbon and Coimbra in Portuguese air force planes and helicopters.

Of the survivors, 13 are said to be severely burned but most are simply suffering from shock. At Faro airport, passengers' luggage littered the runway. Burst suitcases, charred books, swimming costumes and tubes of sun cream lay trodden by rescuers into the sodden sandy soil.

High wind blamed, page 7

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Ripped open: the Dutch charter DC-10, with the roof of its cockpit destroyed, lies near the runway at Faro airport after the crash that killed 54 people yesterday morning

Pit closures illegal, High Court rules

BY PHILIP WEBSTER
AND JILL SHERMAN

MICHAEL Heseltine was forced into a second retreat last night after the High Court declared his plan to close more than half the nation's coal pits unlawful.

The president of the board of trade offered to review the future of ten doomed pits along with 21 other threatened collieries whose fate is being considered by government-appointed management consultants.

He is also to ask the consultants to check that British Coal is maintaining the threatened pits in a condition that would allow them to reopen, there have been allegations that some are being deliberately run down.

The climbdown came last night after Mr Heseltine's plans were left in disarray by Lord Justice Giddens' ruling that the government and British Coal "unlawfully and irrationally" ignored the rights of mineworkers and their unions to be consulted in deciding first to shut 31 pits and in later ordering the early closure of just ten.

In a Channel 4 interview last night, Mr Heseltine admitted that the government had got it wrong because British Coal had not considered the consultation procedures demanded by the court

The government's energy policy has been left in disarray by the High Court judgment yesterday, but the cabinet may have been given a breathing space

to be necessary. He said he had accepted that advice but now that the court had taken a different position he had to respect its findings of the court. "I will do whatever is appropriate to help in the circumstances," he said.

Mr Heseltine declined, however, to give leaders of the Union of Democratic Mineworkers a commitment that no pits were certain to close, although he did promise to meet them again after Christmas. There have been indications over recent days that at least a third of the collieries would be re-opened, and yesterday's ruling put a question mark over far more of them. The government will now have to rethink its strategy not only for the mines but its whole energy policy, and there are certain to be delays in closing even the most heavily loss-making pits.

In his ruling yesterday, Justice Giddens said that both the original decision in October to close the 31 pits and the revised decision six days later to shut only ten were against the law. The judge, sitting

with Mr Justice Hadden, ordered that all the proposed closures be subject to independent scrutiny as well as a review procedure launched for 21 of the mines after a massive Conservative revolt against the shutdown programme.

The mining unions had claimed in court that British Coal had failed to implement the modified colliery review



procedure (MCRP), which lays down a step-by-step consultation process that can take up to nine months. Finding in their favour, the judges said yesterday: "British Coal shall not reach a final decision on the closure of any of the ten collieries, nor shall the president (of the board of trade) make available funds which would enable British Coal to reach such a decision, until a procedure substantially to the same effect as the MCRP including some form of independent scrutiny has been followed in relation to each of the collieries." The court indicated that the consultations already underway might properly form part of the procedure, but "what is needed is rapid addition" of some sort of independent scrutiny.

British Coal was last night considering an appeal. Arthur Scargill, the miners' union president, praised a "good ruling" by the court, which he said demonstrated the correctness of bringing the case. He called for the immediate re-opening of the nine pits that have ceased production and for the resignation of Mr Heseltine. "They have broken the law and we call for the threat to close 31 pits to be rescinded. Lawyers acting for Continued on page 2, col 4

No market for coal, page 2
Leading article, page 13

Aerobics teacher admits she made up 'kidnap' tale

BY STEWART TENDLER, CRIME CORRESPONDENT

JOANNA Grenside, the aerobics teacher who claimed to have been kidnapped and held prisoner for 36 hours, concocted the story of her abduction and was never in danger according to Hertfordshire police yesterday.

Miss Grenside could now face prosecution for wasting police time in an investigation which a senior officer from a comparable force estimated last night could have cost up to £50,000. During the search for her, Hertfordshire police had to hire another force's helicopter at £400 to £600 an hour and organise extensive searches involving dog teams and divers.

Last night police sources said Miss Grenside, 25, of Harpenden, appeared to have no motive for inventing the abduction story. One senior officer said: "We have found no motive behind her story of the abduction. It is not a question of her being somewhere or with someone she should not have been."

One theory last night was that she could be suffering from an eating condition such as bulimia and could not face the Christmas period. Detective Superintendent Ian Whinnett, the senior investigating officer in the case, said it was "very likely" that a file would be submitted to the Director of Public Prosecu-

tions when his enquiries were complete. Asked what had happened to Miss Grenside, Det Supt Whinnett said: "She has told us where she was. I am not prepared to go into details as the matter is sub judice." Mr Whinnett said the case "had changed direction completely" following a fresh interview with Miss Grenside by police yesterday morning.

Photograph, page 3

Ben Nevis avalanche kills young climber

BY RAY CLANCY
AND PETER VICTOR

A SCHOOLBOY who had almost completed a three-mount climb to raise money for orphans in Romania, died yesterday when he was swept 200ft down Ben Nevis in an avalanche.

Bruce Snodin, 17, of Callander, Central, was with two other climbers descending in the red burn gully when it is believed that they triggered the avalanche. Lochaber mountain rescue team said that recent heavy snow falls has heightened the risk.

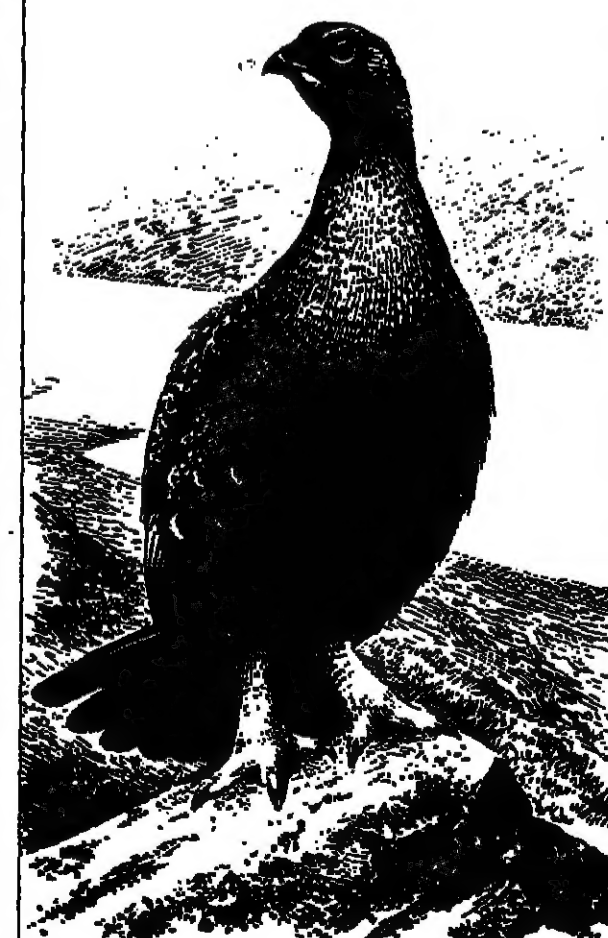
On the roads, fog and frost yesterday were said to contribute to a spate of fatal accidents. Three people were killed after a lorry jack-knifed on the southbound carriageway of the M1 near Alfreton, Derbyshire. Two more died two miles away on the A38 and around 60 vehicles were involved in a crash on the M62. Police said accidents on the A1 near Wetherbridge left one person dead and 13 injured, two seriously. Further south, six pile-ups on the A1 and A1(M) near Doncaster claimed another life and left 26 injured.

A senior South Yorkshire police officer said visibility had been as low as 20 yards and motorists were driving too fast.

There will be frost and patchy freezing fog again today in all areas at first. These may persist into the afternoon over the Midlands, the south east and some central areas. It will be mainly cloudy over much of England and Wales with brighter spells later.

M-way crashes, page 4
Forecast, page 16

RAISED IN THE HIGHLANDS



THE
FAMOUS GROUSE
FINEST SCOTCH WHISKY

QUALITY IN AN AGE OF CHANGE

Panic cries foul as Milosevic wins poll

FROM TIM JUDAH IN BELGRADE

MILAN Panic, the Yugoslav prime minister, called for the annulment of the Serbian presidential elections last night as the headline Slobodan Milosevic swept to victory.

But the greatest victor was the nationalist Serbian Radical party, which is led by Vojislav Seselj, who was named last week by Lawrence Eagleburger, the US Secretary of State, as a possible war criminal. The party militia has been identified by some groups as being behind the murder of about 3,000 Muslims in Brcko, northern Bosnia-Herzegovina, last spring.

An aide to Mr Panic said that the demand for annulment was being made because of "fraud and cheating". He also said that some results announced by the Socialist

party were "incredible". Mr Panic demanded new elections within 90 days, but commentators said his move was an attempt to save face.

Douglas Hurd, the foreign secretary, said before hearing the results that if there was no "radical and rapid change", then "we will move to the total isolation of Serbia and Montenegro".

The Bush administration denounced the conduct of the election as "decidedly unfair". Richard Boucher, the State Department spokesman, said: "US and other Western observers have found significant irregularities. Many voters were excluded from voting because their names did not appear on the electoral lists."

Milosevic leads, page 8

Soldiers fire on Palestinians

FROM ALI JABER IN BEIRUT

A BARRAGE of mortar shells and heavy machinegun fire yesterday wounded several of the 415 Palestinians deported by Israel four days ago, as they tried to re-enter the Israeli-controlled security zone in south Lebanon.

When the Palestinians approached the northern side of the security zone, Israeli soldiers and members of their militia allies, the South Lebanon Army, opened fire. At least two deportees were badly hurt, one with serious head wounds. Several others were still littering the bare landscape hours afterwards.

Witnesses said Lebanese army troops had moved out of their lines into the no man's land where the deportees have been stranded since Thursday. They encircled the makeshift camp and ordered them to leave. The Lebanese officers, in Jeeps and on foot,

told the deportees that they could not stay near the Lebanese lines any more.

They also said that all humanitarian organisations that had helped the deportees set up home on the hillside of Marj az-Zahour were banned from resuming their work. A military spokesman said that any aid organisations would have to use routes through the Israeli-controlled security zone if they wanted to reach the deportees.

Muhsin Dallul, the defence minister, said Lebanon could not accept the deported Palestinians. "This represents a dangerous precedent that would affect Lebanon's march for peace and stability," he said. Mr Dallul said the deportees had been advised to leave their camp because it was dangerous for them to be in the middle of a frontline.

Witnesses said the Palestin-

ians, all said to be members of the Islamic Jihad organisation and Hamas, had held a meeting and decided to abide by the Lebanese orders. The deportees then knelt to pray.

They lined up in columns and marched in the direction of the security zone, unarmed and shouting "Allahu Akbar" ("God is greatest"). Each man held a copy of the Koran in one hand, and raised a finger of the other hand, signalling faith in God.

The deportees were reported to have taken cover behind rocks and slopes of Marj az-Zahour as an Israeli force of 20 military vehicles and 100 troops crossed the edge of the security zone to block their advance. In the afternoon they again tried to advance but were beaten back by machinegun fire and mortars.

Dreams destroyed, page 9

Mines reprieve: pithead joy cannot hide uncertainty in declining industry

Court verdict will not create market for coal

By ROSS TIEMAN
INDUSTRIAL CORRESPONDENT

HOW must they feel this morning, those 30,000 miners whose jobs British Coal's board of directors, with government approval, sought illegally to destroy? A little better in their hearts, perhaps, but scarcely more certain about the future.

The High Court has concluded that British Coal acted not only unlawfully but also irrationally in its decision on October 13 to close 31 pits. But a judgment is not the same as justice for Britain's miners. The High Court cannot make a market for the coal they produce.

Only a competent management, and a government committed to preserving jobs and industry, where that makes economic sense, can slow and ultimately staunch the contraction of Britain's mining

industry. And even if those conditions can be fulfilled, as they clearly are not at present, the job losses will continue.

The British coal industry has been in decline for decades. In 1955 British Coal's 740,800 employees produced 222.9 million tonnes of coal from 850 pits. Last year, 58,100 workers extracted 87.8 million tonnes of coal from 50 pits.

The contraction in output and employment is caused by changes in markets, and by the need to improve efficiency. North Sea gas has displaced a great deal of British Coal's former sales to households, as well as to some industrial and commercial customers. Oil and nuclear power have cornered some of the growth in UK power generation.

At the same time modernisation of mining techniques and immense expenditure on machinery have enabled each

COMMENTARY

miner to produce many more tonnes of coal. So each year fewer men are needed, in fewer pits, to maintain a given level of output.

The present energy crisis was triggered by the government's laudable, but utterly cack-handed privatisation of the electricity industry and the failure of ministers to respond when the flaws in their handiwork became apparent.

Before power privatisation the government put in place three-year contracts which protected British Coal sales to the generating industry at an unrealistically high price for three years. Those contracts expired in March next year. At the same time, Whitehall designed a power market so absurd that low-cost coal generating plants are unable to sign the long term electricity

sale contracts needed to back big coal purchases, and face a simultaneous squeeze on their sales from gas power stations.

The response of British Coal's management to this impending problem was lacklustre. They failed to modernise production fast enough, or to give mine managers the freedom they need to match world coal prices. Neil Clarke, the Corporation's sombre chairman, protested, too weakly, to ministers preoccupied with more glamorous matters, or more urgent crises. British Coal managers are still waiting, with evident frustration, for a ministerial order to enable miners to work longer shifts.

Talks over coal and power sales from next March have still to be settled. Meanwhile, 46 million tonnes of unused

stocks — nearly a year's supply — have accumulated at pitheads and power stations.

Into this impasse, dissected minutely for the past two months by both the Parliamentary Trade and Industry Select Committee, and a DTI enquiry, the High Court has lobbed its bombshell.

Of the ten pits scheduled for immediate closure, only one, the little Berws drift mine, employing 113 miners at Ammanford, Dyfed, remains in production. It was scheduled to close tomorrow.

At the remaining nine, collectively employing 7,237 miners, 1,870 miners, more than a quarter of the total, already volunteered for redundancy. The fabric of the mines is being maintained, but in many cases British Coal has already scavenged equipment for use elsewhere.

The select committee report, to be published on January

22, is expected to say that British Coal sales to the generators, far from slumping from 65 million tonnes this year to just 40 million tonnes in 1993, and 30 million tonnes thereafter, should be maintained at about 50 million tonnes. The report will show that given a fair wind, the corporation can be profitable within a few years.

The government's white paper on the future of the coal industry, due a week later, will propose ways in which this can be achieved by squeezing out some of British Coal's over-mighty competitors.

At best, 14 of the pits scheduled for closure are likely to be saved. Over the coming half decade, the pace of job losses must be maintained if mining British coal is to become economic.

Court ruling, page 1
Leading article, page 13
MICHAEL POWELL

The giant hole that government dug for itself

By JILL SHERMAN, POLITICAL CORRESPONDENT

FROM the moment that Michael Heseltine announced his decision to close 31 coal pits within six months, the plan seemed doomed to failure. Within hours of the announcement on Tuesday, October 13, senior members of the cabinet were trying to distance themselves from a decision which they claimed they had not been consulted about.

Within six days, the prospect of a Tory backbench rebellion over the closure programme forced the government into an embarrassing retreat. While Tory whips were putting pressure on MPs to support the programme, a High Court case started over whether British Coal had breached employment law.

Nevertheless the government decided to go ahead with

and the employment secretary was represented by Patrick McLoughlin, a junior minister.

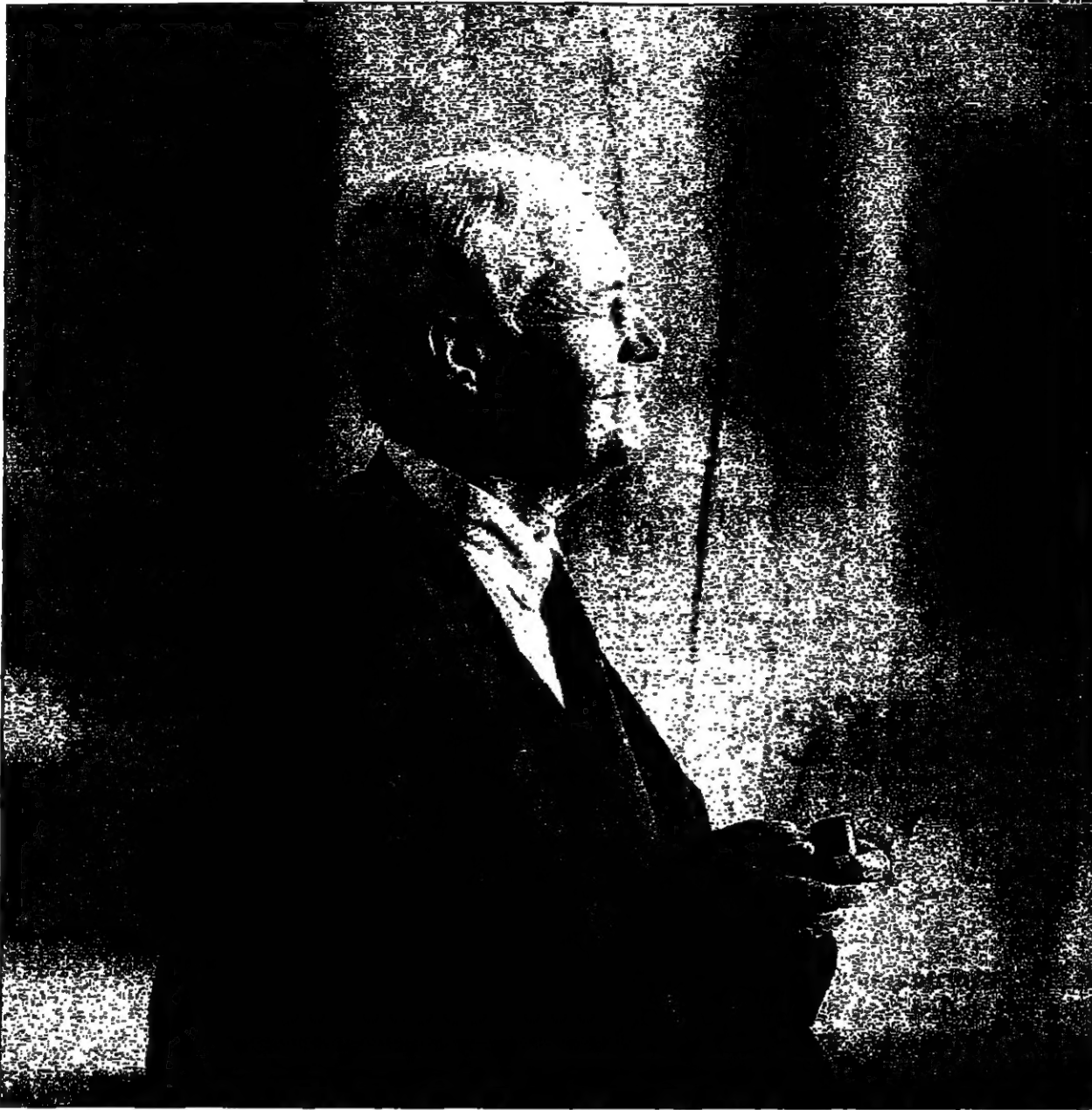
Mrs Shephard made clear later that she was furious about the speed of the decision and the timing of the pit closures — the first were due to shut that Friday. Douglas Hurd, foreign secretary, and David Hunt, Welsh secretary, also made it clear that they had not been informed of the full details of the closures.

Neil Clarke, chairman of British Coal, had a number of meetings with government ministers in the nine months before the announcement. In the final three months meetings were held with just Mr Heseltine and Tim Eggar, energy minister. Mr Heseltine is believed to have consulted only a cabal of ministers, including Kenneth Clarke, home secretary, and Norman Lamont, the Chancellor, before making his devastating announcement.

He argued that he was planning to put the closure programme to the full cabinet that Thursday and to announce it in the Commons the following Monday, but had been bounced into an early decision by British Coal after a spate of media leaks. Yesterday the main question being asked at Westminster was whether the government had sought legal advice before the first announcement of 31 pit closures and, crucially, before the revised announcement of ten closures.

Officials yesterday refused to comment on whether parliament's law officers had been consulted by the employment department or the Department of Trade and Industry (DTI) at any time during ministers' discussions about the closures with British Coal. The official line was that no department could comment on legal advice given by the law officers.

It is understood, however,



Face of victory: Tony Benn, MP for the traditional pit area of Chesterfield, at the Commons after hearing the ruling

that DTI officials presumed that British Coal had taken legal advice on the matter and yesterday they were striving to make it clear where the blame lay. A spokesman for the DTI said the government would always take legal advice on matters it was responsible for, but not those over which it had no responsibility. "We do not take legal advice in respect of other people's decisions. British Coal is responsible for British Coal decisions."

It emerged later that British Coal had not given the employment department the 90 days' statutory notice it is required to give if it makes

more than ten people redundant. Mrs Shephard only received official notice of the 30,000 redundancies on Thursday, October 15, two days after Mr Heseltine reveals the plan. The company subsequently withdrew that notice period, replacing it with another to cover the ten closures still expected to go ahead. It is understood that Mrs Shephard raised the lack of consultation with British Coal when Mr Heseltine made the official announcement.

British Coal was vague yesterday about whether it had sought proper legal advice on

either decision, although officials pointed out that the second decision had been government inspired. A spokesman said the company had decided not to implement the full colliery closure review procedure, which can take up to nine months, because it needed to close the pits quickly, given the sudden collapse of the coal market. Under the procedure every pit is reviewed each quarter. Once a decision is made about a closure unions have a complicated appeals process which includes an ultimate referral to a panel of lawyers.

The spokesman pointed out

that Kevan Hunt, British Coal's employee relations director, said at the time of the first announcement: "It is apparent that the colliery review procedure can play no role in salvaging the prospect of mines named for closure."

The spokesman argued that the process was an internal procedure which had no statutory force. "I do not know what, if any, guidance was given from our legal advisers."

The spokesman was unclear why the company had not given 90 days' notice of redundancies to the employment department or British Coal employees.

Ruling means union laws will have to be rewritten

By FRANCES GIBBS, LEGAL CORRESPONDENT

TRADE union laws will have to be rewritten in the light of yesterday's High Court ruling that the government and British Coal "unlawfully and irrationally" ignored the rights of miners in deciding to close 31 pits, lawyers said yesterday.

Mark Stephens, solicitor for the miners' unions, hailed the ruling as having far-reaching implications for UK trade union laws which had been shown to be defective and out of line with the European directive 129.

The ruling showed that section 183 of the Trade Union Labour Relations (consolidation) Act 1992 was defective in the way it provided for consultation over mass redundancies. The act required consultation only when redundancies were proposed, and not at the earlier stage when they were contemplated. Mr Stephens said: "That denies miners the opportunity to make representations about what the reasons are for closure, for example."

Second, the ruling shows the UK legislation is defective in not requiring consultation over whether redundancies are needed at all. The court has now held that there should be such consultation, and not just consultation over how

these should be achieved. John Hendy QC, counsel for the miners' unions, described this aspect of the ruling as a very important decision for English industrial relations law.

He said the ruling had a second important legal implication. It gave to miners — or other workers in the public sector a new legal remedy: they could challenge collective agreements by way of judicial review. Until now, such collec-

tive agreements between unions and public sector employees have not been thought enforceable.

Yesterday's declaration by the judges makes clear in the strongest possible terms that both decisions to close the pits — first all 31 and then six days later only 10 while the others underwent a review — were unlawful.

It is the latest and most dramatic example of judicial review, one of newest and fastest growing areas of the High Court work, which enables individuals to challenge decisions by governments or public bodies, and confirms what judges consistently maintain when under fire,

that they can and do rule against governments.

Although Conrad Dehn, QC for British Coal, announced it was considering an appeal, that is thought unlikely. Mr Stephens said the consequences of the ruling were clear. "As the basis for those decisions to close the pits has been ruled illegal and irrational, the local step is that mining must resume at those pits that follows inexorably from the ruling."

Miners who had opted for voluntary redundancy under the "false apprehension" that British Coal was not going to consult and was under no legal obligation to do so "were entitled to their jobs back, and compensation for the additional pay they would have received had they been in work," he said. In terms of legislation, the government is expected now to have to amend the Trade Union Reform and Employment Rights Bill, now before Parliament, to take account of the ruling.

The legal costs of the High Court battle are unofficially estimated at £500,000. The judges awarded the UDM all their costs, while the NUM will receive 50 per cent of its legal expenses against British Coal and 40 per cent against Mr Heseltine.

Closures ruled unlawful

Continued from page 1
the mining unions hailed the ruling as "a most amazing Christmas present from the judges to the miners", while John Smith, the Labour leader, wrote to John Major saying that he has learnt that fate rarely deals people any favours, there was a reluctance to be too jubilant too soon.

The news that the pit's abrupt closure last October had been ruled illegal by the High Court was met with elation, but it was followed almost as quickly by the question: "How long is the reprieve?"

Bill Brooks, 72, a fish and poultry dealer, said: "People will be overjoyed at the news, but the problem is what happens next?" Even before the autumn announcement that Vane Tempest was one of the ten pits to be closed forthwith, its 940 miners knew their long-term prospects were dim. For the past 12 months their pit had made an increasing loss and British Coal had put the mine on review.

Reprieve gives hope but for how long?

By PAUL WILKINSON

"THE best Christmas present one could wish for" was a phrase constantly on people's lips yesterday in the streets of Seaham, on Durham, around the Vane Tempest colliery.

Yet in a part of the world that has learnt that fate rarely deals people any favours, there was a reluctance to be too jubilant too soon.

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Two neighbouring collieries closed last year and the local branch of the NUM was told this summer that Vane's thin seams and geologically unreliable reserves made a similar fate inevitable. Its shafts run

up to six miles out to sea and miners can waste up to an hour on slow-moving "land riders" getting to the face. Drilling for new reserves at sea costs up to a £1 million a borehole. Local people, however, have regained hope and a breathing space.

Joe Robson, lodge secretary of the National Union of Mineworkers said: "This will give the whole community a boost when they were facing a bleak Christmas with nothing to look forward to. The employment prospects for the men at the pit were awful. Now our lads will be happy that their jobs are not going down the drain in the immediate future. What we have got to do now is start producing coal again and show the government and British Coal that they should have listened to us in the first place."

British Coal said last night that a decision to resume coal extraction at Vane Tempest would depend on any appeal by the company. Maintenance work had been continued on the pit's two faces and mining could resume within days of a go-ahead.

NEW FROM
PITHEAD

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NEWS IN BRIEF

Rape victim's father pleads for help

The father of the teenage girl who was beaten and raped on her newspaper round at the weekend appealed for help yesterday to catch his daughter's attacker. He could barely bring himself to speak of the masked rapist.

"This terrible crime has devastated my daughter, my family and the whole community," he said. "We were all absolutely stunned by what happened and I would like to appeal to anyone who might have information to contact the police. Someone out there must know the person. I would plead with them to come forward and speak to the police as a matter of urgency as I would not like any other family to go through the distress and devastation we are experiencing."

The girl, aged 14, was walking down an alley after she had delivered her last papers in a co. Durham village on Saturday morning. She heard footsteps behind her and thought they were those of a jogger. The rapist grabbed her from behind and dragged into a garden. She was badly beaten and was still in hospital last night. Her father said: "She can't remember anything except he hit her first and that was it. She's getting a little bit better now her eyes are opening. She has told us what she can and we're just giving her a lot of love and comfort."

Detective Chief Inspector Max Currah, who is in charge of the investigation, said: "She's had a good beating up. I've never come across such injuries to a young woman."

Meningitis alert

Parents have been warned to be alert for the signs of meningitis over Christmas after 11 children in Somerset became ill with the bacterium. The children, aged from one month to 12 years, caught the disease in the past seven weeks and were taken to Musgrove Park hospital at Taunton. Eight have now been allowed home but one child was yesterday said to be still "poorly". Dr Tony Hill, consultant in public medicine at Somerset district health authority, advised parents to be specially vigilant over Christmas. GPs should be contacted immediately if a child develops symptoms of fever, headache, vomiting, irritability, drowsiness, dislike of bright lights and a rash.

Bribe-case MP cleared

A Conservative MP has been formally acquitted of bribery charges and awarded his defence costs. The prosecution at the Old Bailey offered no evidence against Harry Greenway, MP for Ealing North, on seven charges that he accepted bribes from Plaster Railway Machinery (GRB) and two of its executives to use his parliamentary influence on their behalf. Mr Justice Buckley said he had no hesitation in ordering not-guilty verdicts to be entered. He formally cleared Plaster and its managing director and company secretary, Norbert Jurassek and Michael Brooks, of corruption charges. The decision to drop the case followed the collapse of a separate trial which did not involve Mr Greenway.

Widow aged 99 attacked

A widow who is due to celebrate her 100th birthday next month was fighting for her life yesterday after being attacked at a council old people's home. Police said that Sarah Burke is unconscious with a fractured jaw and cheekbone. She was found covered in blood in her bed at a county council residential home in Redruth, Cornwall, on Sunday morning. Nothing was stolen from her ground-floor room and no valuables were kept there. Her attacker is thought to have escaped through the window. Cornwall social services said: "There is tight security at all our homes and people are on duty round the clock, but we cannot put bars over the windows."

Blood transfusion alert

The Swiss Red Cross issued an urgent appeal yesterday for foreigners who received blood transfusions in Switzerland between 1982 and 1985 to get in touch with their doctors. A spokesman for the Swiss Red Cross said that Switzerland had not been able to carry out positive Aids tests on blood until the end of 1985, and was now checking people who received transfusions at that time to ensure that they had not received contaminated blood. As many as 50 Britons are thought to have been included among the foreigners who received blood transfusions in Switzerland before the positive screening system was introduced.

Transvestite con

A transvestite slept alongside girls at a children's home after coming police and social services into believing he was a female teenager in distress. The man, dressed in girl's clothes and calling himself Laura, walked into the Civic Centre police station in Southampton and broke down and wept, saying he had nowhere to go. Officers referred his case to Hampshire social services. After an hour's interview, he was taken to a children's home, put in a bedroom with girls and slept the night. The next morning staff became suspicious and discovered "Laura" was a 24-year-old man. A police spokesman said no offence had been committed and the man was allowed to leave. A police spokesman said: "When a psychologist interviewed the 'girl' it became clear Laura was a man — but you could not have told by looking at him. She looked like a girl and that's what police thought they were dealing with when she came in."

Family rail ticket



Leonie Alderman, 21, who has become one of British Rail's youngest female train drivers, celebrating yesterday with her father, Bob, also a train driver. She will take trains in and out of London's Liverpool Street station. A Network SouthEast spokesman said: "We are delighted to welcome her to the fold and that she has achieved so much at such a young age. She is Network SouthEast's youngest woman train driver."

Bank robber mugged

A man who robbed a bank of £1,800 was mugged by two men in an alley near by, the Old Bailey was told yesterday. It was believed that the two may have intended to rob the bank in Barnet, north London, but found that Stuart Everton, 20, had beaten them to it. They followed him, took the money, and pretended to police that they had chased the robber and lost him. They even offered to give evidence against him. Everton, who was arrested several days later outside another bank in north London, admitted three robberies and related firearms charges. He was put on probation for two years and ordered to do 80 hours' community service. Both muggers were tracked down by the police and arrested.

DSS pays interest for thousands with six-figure mortgages

BY CHRISTOPHER ELLIOTT
AND ANGELA MACKAY

MORE than 3,200 people with mortgages of about £100,000 are having their interest paid each week by the social security department.

This week it emerged that the department was paying £1,800 a week to cover the housing costs of a former millionaire, Trevor Deaves, 39, who lost his £400,000-a-year job as chairman of the M1 Insurance group two years ago, signed on for income support in July.

Mr Deaves may be entitled to part and full payment of the £1,833 interest payments a week for a full year under ministry rules, although a spokesman said that such high payments would be closely monitored. Until July, Mr Deaves kept up the payments on his £832,500 interest-only mortgage on his house set in 66 acres in Haslemere, Surrey. He bought Tree Top Farm for £925,000 nearly three years ago, and lives in a cottage in the grounds with his second wife Jacqui.

A statistical "snapshot" taken

■ Hundreds more former high-flyers are likely to join those seeking help with their mortgages as unemployment rises

by the ministry in May 1991 revealed that he is one of at least 3,200 people who are being paid £200 a week in full mortgage interest. About 5 per cent to 6 per cent of all mortgages are for more than £100,000.

Shelter, the charity for the homeless, believes that the numbers may be much higher. A spokeswoman said last night: "We would be extremely surprised if that figure hadn't risen since then given that there are so many more people in arrears with their mortgages now."

Income support is open to all those who are either unemployed or working less than 16 hours a week. More than five million people receive income support, and this number is growing alarmingly, says the Child Poverty Action Group.

Those claiming income support are entitled to apply for help with their mortgage. If a householder has savings of less than £3,000, he or she may have 50 per cent of the mortgage paid for the first 16 months. After that period they are entitled to claim for two months at 100 per cent which may be extended for six months if their claim is approved by an adjudicating officer.

Banks and building societies do not keep specific records of how many of their mortgagees are having their interest paid by the department, particularly since legislation introduced last year meant that all these payments are now paid directly by the department to the lender.

Considering the number of high net worth individuals, such as Mr Deaves, who have lost their jobs in the City during the past couple of years, it would not be unusual for several hundred of them to be receiving supplementary benefit. However, few appear to have been successful in claiming. One City headhunter said that of the few clients she knew who had applied, most had been refused.

because of the value of other cash assets.

Bankrupts may have difficulty claiming mortgage benefit because once they are made bankrupt, all their assets go into a pool to be realised and distributed among creditors. A mortgage is included as an asset and lenders often foreclose immediately to secure the value.

High profile bankrupts such as Asil Nadir and Kevin Maxwell did not claim mortgage benefit because their homes are in the names of their spouses. George Walker, another entrepreneur fallen on hard times, lost his house immediately because other loans had been secured against it.

There are several other cases in which formerly rich businessmen have had help with repayments. Peter Julien, an unemployed interior designer, bought his home in Hampstead, north London, in 1989 and made two payments on the £630,000 mortgage before his business failed.

He asked for state help to meet repayments of £1,784 a week and was given social security benefits which totalled £32,000 over a period of six months. The home was repossessed and eventually sold by the Town and Country Building Society.

The department also paid the £600-a-week mortgage interest on a businessman's four-bedroom home at Darwen, Lancashire, when his finance and mobile communications company got into difficulties.

A money market trader and broker remortgaged his maisonette in Islington, north London, a week after losing his job in 1989. Interest payments on the £138,750 loan, which came to nearly £420 a week in 1990, were paid by the department.

Mr Deaves said after news of his payments from the department first became public, "I have paid a lot of tax in the past and am simply claiming what I am entitled to."



Centre of attention: Joanna Grenside, right, with a policewoman last Thursday

Kidnap hoax a cry for help

BY JEREMY LAURANCE
HEALTH SERVICES
CORRESPONDENT

THE discovery that Joanna Grenside made up her story of having been abducted at knife-point and held hostage in silence has shown how people crave attention in the same way that they need food, psychologists said last night. As the starving will fight to eat, those who feel ignored may go to extreme lengths to get themselves noticed.

In the short term, Ms Grenside's disappearance, which led to a huge police search, may have served its purpose by attracting national attention to her plight. But

now she will have to face her family and friends, knowing her secret is out, which will add to the immense personal difficulties that must have driven her to fake her disappearance in the first place.

"One of the things we cannot bear is not to be noticed," said Dorothy Rowe, a psychotherapist and author of books on depression. "We need other people to signify our existence. For those of us with a strong sense of ourselves we can adopt the view that anyone who doesn't recognise us is an idiot. But sadly, quite a lot of people lead lives where nobody recognises their existence."

When people are asked to

choose between a world where they are safe and have food and shelter but are completely ignored and one in which they are widely noticed but every day is hostile, most opt for the hostile world, Ms Rowe said.

However, Jill Curtis, spokeswoman for the British Association of Psychotherapists, said Ms Grenside would now have to cope with the humiliation of being found out.

"Nobody gets to the point of walking out without being under intense pressure. But how do you come back when you've done something like that? She is going to need a lot of help."

Disappearance hoax, page 1

Industrial espionage alleged by editor

BY A STAFF REPORTER

THE managing editor of *The Sunday Times* believed he was a target in a campaign of industrial espionage involving British Airways and Virgin Atlantic Airways after his house was taken from outside by a private detective, a court was told yesterday.

Roger Eglon, a journalist with 30 years' experience and a specialist in aviation, told a jury at Isleworth Crown Court that his rubbish was taken in the middle of the night only days after he had lunch with the managing director of Virgin Atlantic, Syd Pennington.

John Reilly, 47, a private detective from Twickenham, southwest London, has admitted taking the rubbish from Mr Eglon's home in March but pleaded not guilty to charges under the Theft Act 1968, saying he believed he was not doing anything unlawful.

Brendan Finucane, for the prosecution, said Mr Reilly drove to Mr Eglon's home in Teddington, southwest London, at 1am. He was seen by a neighbour, Mary Rose, who told the court that she became suspicious when she saw him walk up Mr Eglon's gravel drive. "He was treading very carefully. I could see he was on tiptoes."

Mr Reilly said he took three of the five rubbish bags and searched them for Mr Eglon's correspondence. He believed his task was merely to confirm that Mr Eglon lived at that address. The next day he met his client, Stuart Francis, another private detective, to hand over the mail.

Mr Reilly agreed under cross-examination by Mr Finucane that there was "a possibility" his assignment could have been ordered through a series of intermediaries to disguise the real client.

The jury was shown copies of an article by the *Sunday Times* Insight team published in August alleging an industrial espionage campaign carried out by British Airways against Virgin.

Mr Reilly was asked by his counsel, Gerald Bermingham: "Did you at any time know anything about British Airways and Virgin and matters like that?" Mr Reilly said: "I knew nothing at all."

The trial continues today.



WHETHER for news or entertainment, on how to enjoy or to survive Christmas, *The Times* will be essential reading during the Christmas season.

On Christmas eve, a new short story by Barry Unsworth, joint winner of the 1992 Booker Prize for *Sacred Hunger*, will be published in an eight-page Christmas section.

There will be full television listings for Christmas.



Unsworth in print

mas eve, Christmas day and Boxing Day, including Michelle Pfeiffer in *The Fabulous Baker Boys*, our critics' choices of films and music on television, and a jumbo crossword.

Boxing Day *The Times*, with four sections, will be the only quality newspaper on sale. *The Saturday Review* looks back at 1992 and selects the images that capture the spirit of an annus horribilis. *The Weekend*



Pfeiffer on film

section features a game of political snakes and ladders.

Special offers include a free Channel crossing and a £1,932 saving on transatlantic flights.



Ian Maxwell: risk of bankruptcy

Maxwell must pay £500,000

BY ANGELA MACKAY

IAN Maxwell was ordered by the High Court yesterday to pay £500,000 damages to the Mirror Group pension funds plundered by his late father. If he fails to pay by January 18, bankruptcy proceedings could be started against him.

The interim award was won by the liquidator of Bishopsgate Investment Management (BIM), the company that administered the funds. A spokesman for Robson Rhodes, the liquidator, said Mr Maxwell told the court that he could not pay the money by the deadline.

In July, the liquidator won summary judgment against Mr Maxwell's brother, Kevin, for £406.5 million. After he could not settle the amount, Kevin Maxwell, 33, became Britain's biggest bankrupt.

Mr Justice Chadwick held yesterday that Ian Maxwell, 36, was in breach of the duty he owed BIM as one of its directors when he signed five stock transfers to a Swiss bank without an assurance that they had been approved by BIM's board.

The judge said: "It is no answer for Ian Maxwell to say that he signed the stock transfer forms in reliance on his brother's signature." He added that £500,000 was a reasonable proportion of the amount likely to be due after an enquiry into BIM's loss.

Mr Maxwell was denied leave to appeal.

Clarke chooses TV chief to lead prison service reform

BY RICHARD FORD, HOME CORRESPONDENT

THE head of a satellite television company is to be the next chief of the prison service. He will be paid almost twice as much as his predecessor.

Derek Lewis, who has never set foot inside a prison, will have a salary of £125,000, plus a performance-related element of up to 35 per cent of that figure. His predecessor as director general of the prison service, Joe Pilling, a career civil servant, earned £63,000 and is to move to a job in the Cabinet Office.

Mr Lewis, who on his resignation last year as chief executive of the Granada television group received a £579,000 pay-off, said yesterday: "Clearly I don't bring any particular knowledge of the prison service to the job. I bring a very broad business background in a wide variety of different organisations which I think will be very relevant to the sort of changes in the prison service in the future."

Mr Lewis is chairman of UK Gold, a new satellite television channel which he helped to launch last month. He was chief executive at Granada, the television to motorway services group, until last year, when he resigned after the company unveiled a

financial package to reduce debts and secure its future.

By appointing an outsider to be chief executive of the prison service when it becomes a semi-independent government agency next April, Kenneth Clarke is signalling that the government wants to overhaul the running of the organisation and that he wants to inject private-sector management skills into the operation of the jails.

Mr Lewis, 46, was chosen from a shortlist that included Denis Tunnicliffe, the managing director of London Underground, and Mr Pilling, a civil



Lewis: outside skills for an inside job

servant who has worked at the Home Office, Northern Ireland office and health department, and who has been director general for only 16 months.

Mr Clarke praised Mr Pilling's leadership but said Mr Lewis would bring in private-sector skills that, he hoped, would bring new dynamism to the prison service and speed up the rate of progress in improving it.

Tony Blair, the shadow home secretary, demanded last night that the government disclose the performance indicators on which Mr Lewis's additional pay will be based.

In addition to his salary and performance-related bonuses, Mr Lewis will remain as non-executive chairman of UK Gold, to which he will devote about one day a month of his time.

Almost one third of the £94 million spent by the Home Office keeping prisoners in police cells in 1991-2 cannot be properly accounted for, a report by the National Audit Office said yesterday. Home Office officials paid out £30.8 million to local police forces without receiving adequate proof that the money had been spent as claimed, the report by the spending watchdog said.

West End shows threatened by strike

BY ALISON ROBERTS
ARTS REPORTER

BACKSTAGE workers are threatening to close theatres in the West End of London from Boxing day with a strike over pay.

The arbitration service Acas will tomorrow attempt conciliation between the theatre technicians' union, Bectu, and the West End theatre employers' association. If talks fail, backstage workers say they will begin a strike on Boxing day, disrupting the busy holiday season. Box-office hits including *Miss Saigon*, *Joseph and the Amazing Technicolor Dreamcoat* and *Barnum* will almost certainly be forced to close if theatre technicians walk out.

The result of a ballot on the pay offer from the Society of West End Theatre was announced yesterday. More than 90 per cent of those who voted rejected the offer of a 2.5 per cent pay increase.

The union is seeking a 5 per cent pay

rise. It says that about a quarter of theatre workers earn up to £15,000 a year, but part-time front-of-house workers earn much less.

Jerry Morrissey, the union's national officer, said that box office staff, carpenters, lighting technicians, costume workers and usherettes would strike on up to 20 of the largest and most successful shows. "If members do not come to work, the show would close for the night, if only for health and safety reasons," he said. "If theatre managers had available seats on a different night they could offer those to customers, but many people who take families to see shows at Christmas will be disappointed."

Nick Allott, executive director of Cameron Mackintosh's production company, said it would "find a way of delivering something" to audiences if theatre staff walked out. There are five Cameron Mackintosh productions in the West End, including *Cats*, *Joseph and Les*

Miserables. "We would not compromise safety standards, but we would find a way of putting something on," Mr Allott said. "If you have got an audience there, particularly at Christmas, you owe it to them. But I don't believe it will come to a strike. Common sense will prevail."

The Society of West End Theatre was confident that an amicable settlement could be found, "as has always been the case". But Peter Morris, the society's industrial officer, said the West End had suffered because of the recession and pay increases were bound to be small. "The most difficult thing to do is raise investment money for new shows and it doesn't help if you allow the production costs to escalate," he said.

Rikki Newman, a master carpenter on Willy Russell's *Blood Brothers* at the Phoenix Theatre, said: "I have been working in the theatre in different countries for 25 years and this is the lowest scale of pay I have seen."

SINGLE HIGHLAND MALT SCOTCH WHISKY.

GLENMORANGIE

GEORGE MACKENZIE. Mashman.

IT WAS CHRISTMAS EVE, and the annual Glenmorangie party was in full swing. Somewhere a door opened. A sudden waft of icy Firthside air provoked a flurry of goosepimples. And a briskly pedalling figure disappeared into the mist outside. 'Who was that?' asked a visitor. 'Oh, only George Mackenzie. He's away up to the mash-house to tend the mash.'

Even those who do not work at the distillery know of George's dedication to the mash. Ask him why on Christmas Eve, Burns' Night, even Hogmanay he will give up all to be with his charge, and he will reply: 'Time and the mash wait for no man.'

Almost one third of the £94 million spent by the Home Office keeping prisoners in police cells in 1991-2 cannot be properly accounted for, a report by the National Audit Office said yesterday. Home Office officials paid out £30.8 million to local police forces without receiving adequate proof that the money had been spent as claimed, the report by the spending watchdog said.

HANDCRAFTED by the SIXTEEN MEN of TAIN.

Police warn of worsening conditions

Six killed in multiple crashes in freezing fog

By PETER VICTOR

ONE person died and at least 20 were injured when more than 60 vehicles collided on the M62 yesterday. A tanker caught fire and five people had to be cut free from their vehicles in the crash, one of at least 20 incidents in freezing fog on roads in the North and Midlands.

Police said the crash, at midday at Junction 24, — Ainsley Top — on the west-bound carriageway, an exposed section of the motorway in West Yorkshire, was caused when motorists travelling too fast for the treacherous conditions braked to avoid a smaller accident on the road and ploughed into each other.

More than 70 fire-fighters from brigades around Huddersfield were called to deal with the burning lorry and to free injured drivers. Four lorry drivers were trapped in their vehicles for an hour.

Casualties were taken to Huddersfield Royal Infirmary. Eva Lambert, the hospital general manager, said the

man who had been killed was already dead on arrival at the infirmary. Five of the casualties were seriously ill and undergoing surgery that might involve amputations. Another five involved in the crash were detained for observation, but a further 13 casualties had been treated for minor injuries and discharged.

One of them, a woman in her 30s from Manchester who did not wish to be named, said: "A lorry jack-knifed in front of me. I slammed on my brakes but another lorry hit me from behind and I was crushed between them. I thought I was going to die and I can hardly believe I am alive."

An ambulance spokesman said the majority of the casualties were suffering from minor injuries, shock and the effects of cold. Emergency supplies, blankets and drugs were ferried to the scene from Huddersfield General Infirmary. Police said that visibility was down to about 25 yards on

sections of the M62 at the time of the crash.

Chief Inspector Mel Bunting, of the West Yorkshire police motorway unit, said: "People just don't take any notice at all. It is nothing less than criminal behaviour."

"I don't think drivers are learning. We keep asking people to drive slowly and I don't think that many of them know what slow is."

"We give the same message out time after time to slow down, and we deal with the same incidents winter after winter."

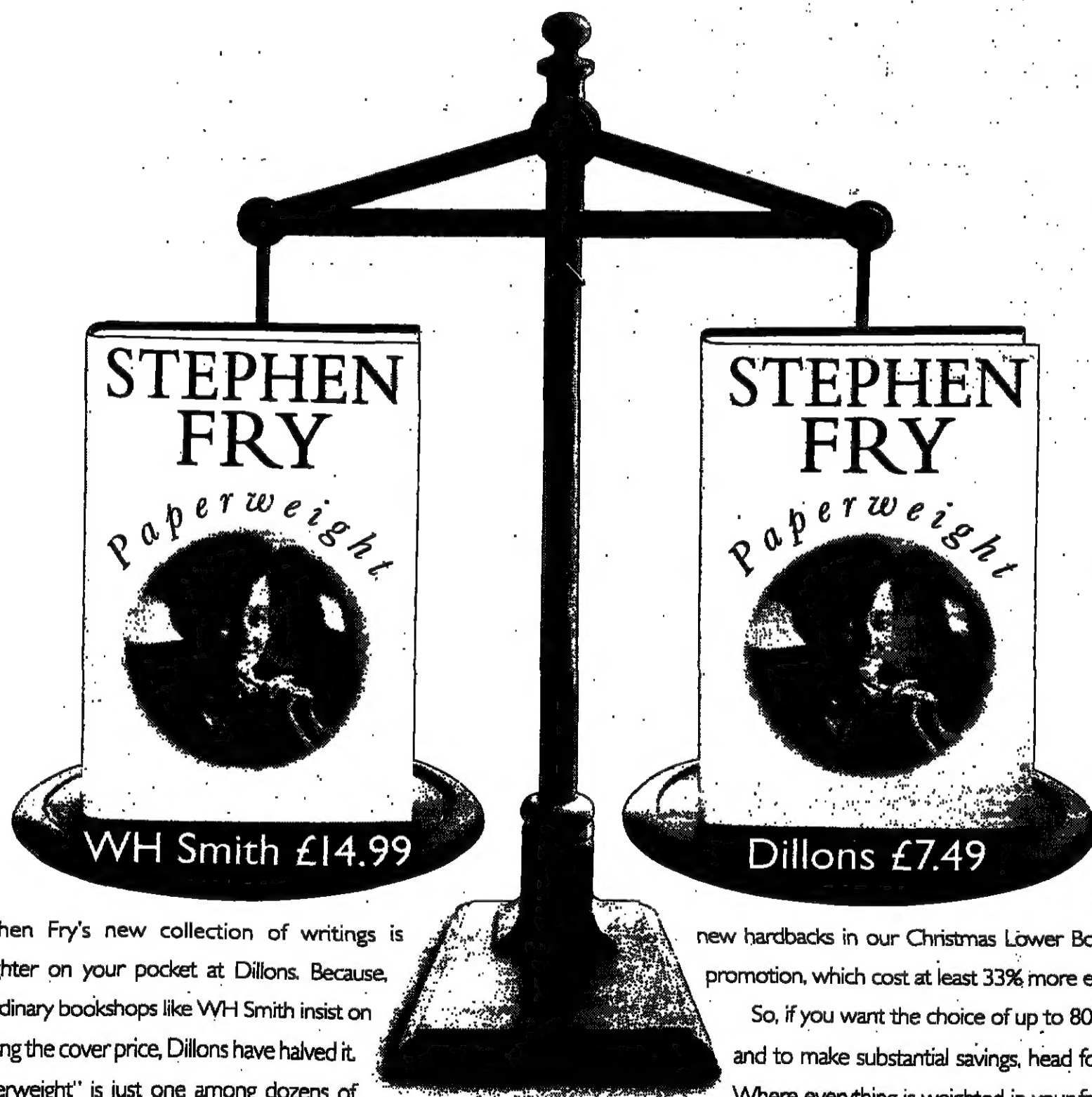
Police warned drivers last night that weather conditions would worsen, with sub-zero temperatures and visibility falling to between 30 and 200 metres.

There was a series of accidents in Derbyshire yesterday. Two people were killed on the A38 dual carriageway near Alfreton, and three other motorists died when a lorry jack-knifed on the M1 two miles away.



Crash survivor: the driver of this car escaped from the wreckage after 60 vehicles crashed and a tanker caught fire on the M62 yesterday

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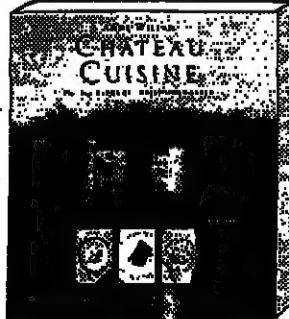
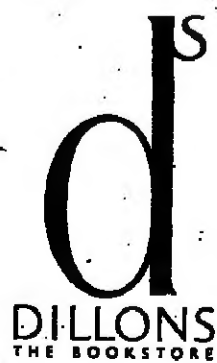
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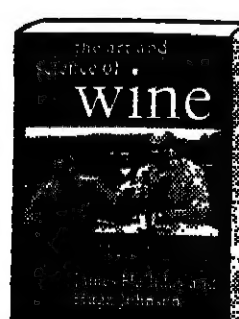
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Elderly win ruling on rest homes

By FRANCES GIBB
LEGAL CORRESPONDENT

TWO widows in their eighties won a legal victory yesterday that gives rights to more than 100,000 elderly people over the future of council-owned old people's homes.

Mabel Curtis and Elizabeth Broxson, both 86, won the right to be consulted over the future of their council-run home in Wingate, co. Durham, when the Court of Appeal held that they were being treated unfairly in being told "virtually at the eleventh hour" that it was earmarked for closure. After the hearing, Durham County Council promised to consult the women properly about the closure proposals.

The judges held that residents should be consulted well in advance — not individually, but in groups — over closure decisions. The ruling will be important to all 110,000 elderly people living in council-owned homes in England and Wales.

In a parallel case, the judges ruled that residents at two homes in Devon had received adequate notice of closure.

Last July, the High Court held that "administrative chaos" would be caused if people adversely affected by closure decisions had to be consulted. It was the responsibility of councils to put forward the views of their constituents. Lord Justice Dillon, sitting with Lord Justices Farquharson and Simon Brown, said yesterday that, for a council to act fairly, residents should have a reasonable time to put their objections.

In the Devon case, the residents knew well in advance. Support committees were formed, well-publicised demonstrations were held outside County Hall, Exeter, and resolutions opposing closure were debated. The Durham case was different because the residents were "helpless" when told that the closure of the home was on the agenda for a meeting in five days' time.

Angler wins ruling on bait digging

By JOHN YOUNG

AN ANGLER on the beach who equips himself with a spade to dig for lugworms to bait his hook can no longer be prosecuted.

In what will be seen in piscatorial circles as an historic judgment, the Court of Appeal yesterday established for the first time the legal right of sea anglers to dig for bait on the foreshore.

Lord Justice Evans, sitting with Mr Justice Macpherson of Clun, allowed an appeal heard earlier this month by Anthony Anderson against his conviction in November 1990 for breaching a local authority bylaw by digging lugworms from the beach at Boulmer Haven near Alnwick, Northumberland.

"We hold that a public right to take worms from the foreshore is recognised by the common law and may properly be described as ancillary to the public right to fish," Lord Justice Evans said.

Mr Anderson's conviction had earlier been quashed on the technical ground that the map attached to the bylaw was misleading. But until yesterday anglers had been waiting for a judgment on the wider issue.

"We accept that past tolerance does not establish the existence of the right," Lord Justice Evans said. But the public right to take fish from the sea and tidal waters had been jealously guarded from Magna Carta onwards. To restrict the use of worms as bait, which were only to be found in the sand of the foreshore, would itself have been a restriction of that right.

However, the right should not be unrestricted. "The taking of worms must be directly related to the actual or intended exercise of the public right to fish."

"Taking for commercial purposes is not justified in this way. But digging bait by an individual fisherman for his own use is clearly justified," he said.

The way it isn't

By CLARE BROWN



MINISTERS are to be challenged over hidden "perks" available to the Queen and members of her family during the past few years. Ken McBitter MP announced yesterday.

"I am astounded that in this day and age, the Queen should not pay for her own ribbon," McBitter said to a stunned press conference. "During the past 30 years, the Queen has been cutting on average two ribbons a day while opening shopping precincts, launching ships and unveiling bypasses. Yet for all this ribbon she has personally destroyed, she has yet to pay a penny."

McBitter is also making "urgent enquiries" as to whether the royal household has borne the cost of wear and tear on the scissors, and is to demand that

in future the Queen provides her own.

McBitter then announced that he had "conclusive evidence" that Princess Margaret had been letting it be known that she was the sister of the Queen. "I can think of no other reason why the princess should have been asked to preside over so many ceremonies, often with a free meal beforehand," declared McBitter to a hushed conference. He then listed further "exclusive perks" lavished upon the royal family, including:

□ Secret waiving of the normal £2.50 entry fee to the public rooms of Windsor Castle

□ Free access to the royal enclosure at Ascot

□ No need to queue with other members of the public at the state opening of Parliament

□ No charge to watch the Royal Variety Show.

"It's an outrage," boomed McBitter, stressing that his annual subsidy as MP and Euro-MP was "barely more than the cost of keeping a single Ethiopian village alive for 25 years, if that."

Minister praises improved results but highlights continued weaknesses in the three Rs

Patten orders enquiry into low scores for primary school tests

By JOHN O'LEARY, EDUCATION CORRESPONDENT

JOHN Patten, the education secretary, yesterday welcomed an improvement in seven-year-olds' test results, but ordered an investigation into "unacceptable" differences in the performance of local authorities.

Official league tables showed some inner city areas scoring well, while others "failed badly" in the controversial tests in English, mathematics, science and technology taken by more than 600,000 pupils. Counties such as Nottinghamshire and Leicestershire will be among those facing an enquiry into results below the national average.

Mr Patten said there was a clear improvement in the results compared with those for the first national tests for seven-year-olds last year. He praised the hard work of pupils and teachers, and attributed rising standards at seven to the "positive effect" of the national curriculum in raising expectations and setting targets.

However, the minister highlighted weaknesses in the three Rs that gave no ground for complacency. The figures showed about one quarter of seven-year-olds were unable to read a simple passage aloud or do straightforward mental arithmetic such as five plus four. Girls did better than boys across almost all subjects.

Labour said that the results were virtually worthless because tests took up large amounts of classroom time without telling teachers or parents much more than they already knew. "These results probably reflect the socio-economic map of Britain, as do most exam results," said Ann Taylor, shadow education spokeswoman.

There was little change in the government's ranking of local authorities, although Harrow in northwest London,

the top area for GCSE and A-level results, took over from Richmond upon Thames at the head of the table. Cleveland, one of the few authorities to record lower results than in 1991, replaced Bradford at the bottom.

Mr Patten also included spending levels for each authority in the tables for the first time. Although Wigan, the most frugal area, also had the lowest success rate in the high grades, Westminster finished in the bottom quarter despite spending more on nursery and primary pupils than any other authority.

Teachers and administrators maintained their opposition to the publication of the scores. The results showed less variation between authorities than in 1991. In all but 17 of

the 107 authorities, between 77 and 86 per cent of pupils reached the expected level. Performance at the higher levels was spread more widely. In four London boroughs—Bromley, Hackney, Harrow and Richmond upon Thames—almost a quarter reached the standard expected of a nine-year-old. But in Wigan only 6 per cent managed the feat, and in Barnsley and Cleveland only 8 per cent.

The differences were equally stark broken down by subject, with high-achieving areas outstripping the worst by at least 20 points in English, reading, mathematics and technology. In English, 86 per cent of pupils in Richmond upon Thames reached the expected standard, compared with 63 per cent in Newham, east London.

The biggest improvement was in Bradford, last year's bottom authority, which always maintained that its more rigorous marking had produced a false position. Although the authority has moved up only two places in the government's league table, the proportion of children reaching the target level has increased from 59 to 73 per cent, and the proportion awarded higher grades is up from 5 to 13 per cent.

Few children reached the new Level 4, which was pitched at the standard of an average 11-year-old. Only in mathematics tests on probabilities did the pass rate reach 5 per cent, while in reading and in science tests covering electricity and magnetism the figure was 2 per cent. In most tests, fewer than one in 200 were assessed at the new level.

Two reports by the School Examinations and Assessment Council on the conduct of the tests found that the tests had become "more manageable and teacher confidence in the process had risen. Lord Griffiths of Forest, the council's chairman, said: "Last autumn we gave the undertaking that the tests would be rigorous, manageable and reliable; here is evidence that we succeeded."

However, the Association of Metropolitan Authorities dismissed the league tables as "unreliable". Alan Parker, the education officer, said: "The results are as likely to reflect marking differences or children's pre-school education and experience as any objective truth about the children or teaching quality."

The National Union of Teachers said the results had "no real value" as they did not measure the progress children made once they arrived at school. Doug McAvoy, the general secretary, said the tests made no allowance for the type of areas schools served and factors such as the number of pupils with English as a second language and the extent of nursery provision.



Adding aid: Kimie Markarian teaches James Barrow, 9, to use a Japanese soroban at Earls Colne school, Essex

Confusion masks pupils' failure to reach science targets

By JOHN O'LEARY, EDUCATION CORRESPONDENT

MORE than half of the 14-year-olds taking last summer's pilot tests in science failed to reach the level expected of their age group. Mathematics results were better, with more than 60 per cent meeting the target.

Last June's controversial tests in the two subjects were the biggest pilot yet undertaken for the national curriculum.

Four out of five state secondary schools and more than half of the independent sector took part.

However, ministers have agreed not to publish a breakdown of the results by school or local authority. Unpublished reports for the School Examinations and Assessment Council, which is responsible for the tests, have acknowledged that the results are not reliable. Mathematics papers were easier than those

for science, and marking schemes were unclear. Next year's tests, which will be extended to include English and technology, will be compulsory. Those for mathematics and science have been revised to take account of criticisms by the council's assessors and teachers who administered the pilot. However,

teachers and parents might boycott the English tests, which will not be finalised until next month.

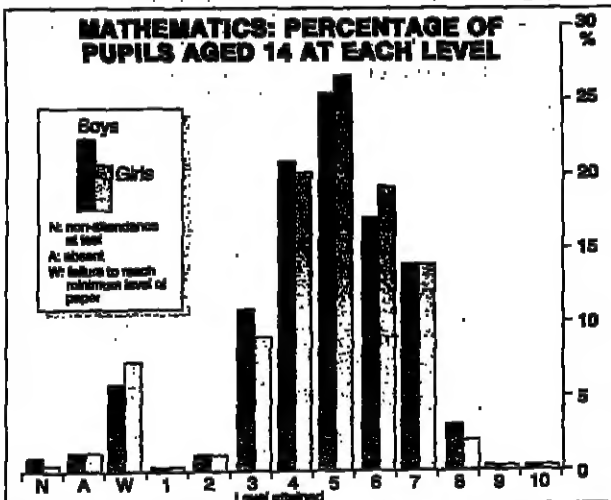
Monitoring of the pilots by Her Majesty's Inspectorate found some schools reporting record attendance. More than 350,000 pupils were entered for one of four sets of papers, based on their teachers' assessment of their ability.

There was confusion yesterday about the point on the national curriculum's ten-

point scale of achievement that 14-year-olds should expect to reach. The education department's commentary on the tests said that those reaching levels five or six had "reached the national targets which are expected to be within the compass of a typical pupil of their age". But John Patten, the education secretary, set his criterion at level six, reducing the numbers reaching target levels in science to 15 per cent. John Sutton, the general

secretary of the Secondary Heads' Association, said: "If only 15 per cent met the target in the first test, then you would have to wonder if the target had been placed wrongly. We are sorry that the results are being published at all because we think the purpose of a pilot is to iron out the kind of shortcomings that we pointed out earlier this month."

Mr Patten said the national curriculum and testing were helping to improve standards.



League Table of 107 English Local Education Authorities ranked by percentage of seven-year-olds reaching Level Two or above—the target set for a typical child aged seven—in English, maths, science and technology. Level Three is equivalent to the standard expected of a typical nine-year-old. The third column gives funding per nursery/primary pupil in each area in 1991. In the fourth column, the LEA with the highest level of funding is ranked 1, the lowest 108.

Pos	Authority	% at level 2 & above				% at level 3 & above	£ per pupil 90-91	LEA rank by funding	Pos	Authority	% at level 2 & above				% at level 3 & above	£ per pupil 91-92	LEA rank by funding		
		Sci	Tech	Math	Engl						Math	Tech	Sci	Engl					
1	Harrow	94	89	86	85	89	24	1,480	28	52	Berkshire	87	77	78	78	80	15	1,340	50
2	Richmond-upon-Thames	94	89	85	86	88	24	1,530	22	53	Brent	87	80	79	76	80	14	1,670	17
3	North Yorkshire	92	86	85	83	87	17	1,230	93	54	Camden	87	84	77	74	80	22	1,710	14
4	Bromley	92	87	83	83	86	24	1,410	36	55	Essex	87	77	78	79	80	14	1,240	89
5	Havering	92	89	82	82	86	14	1,290	67	56	Gateshead	88	79	78	75	80	17	1,390	37
6	Hertfordshire	93	86	84	83	86	21	1,340	50	57	Hammersmith and Fulham	88	79	78	73	80	22	1,970	3
7	Hillingdon	93	87	85	81	86	22	1,540	21	58	Hampshire	88	77	78	77	80	15	1,280	78
8	Isle of Wight	94	85	86	82	86	20	1,250	87	59	Harrow	87	82	78	74	80	13	1,510	24
9	Sutton	93	88	81	82	86	22	1,360	46	60	Islington	89	80	77	74	80	21	1,770	11
10	Barnet	92	83	84	81	85	23	1,550	20	61	Newcastle upon Tyne	87	79	79	76	80	18	1,520	23
11	Cornwall/Isle of Scilly	91	85	83	81	85	17	1,190	104	62	Salford	88	84	75	74	80	11	1,270	76
12	West Sussex	92	86	82	81	85	19	1,240	89	63	St Helens	87	79	77	76	80	13	1,210	100
13	Derbyshire	91	83	81	80	84	17	1,370	43	64	Walsall	88	78	78	77	80	12	1,340	50
14	East Sussex	92	83	80	80	84	17	1,240	89	65	Bexley	86	82	72	76	79	14	1,260	78
15	Gloucestershire	90	83	82	80	84	19	1,200	102	66	Calderdale	86	77	77	75	79	14	1,440	31
16	Kingston upon Thames	88	87	80	79	84	15	1,430	33	67	Ealing	86	80	76	74	79	19	1,690	16
17	Merton	92	86	81	78	84	22	1,750	12	68	Nottinghamshire	88	77	78	73	79	17	1,390	37
18	Somerset	91	87	78	80	84	15	1,290	93	69	Staffordshire	88	74	76	77	79	9	1,270	78
19	Surrey	90	82	82	81	84	14	1,340	50	70	Wandsworth	85	81	76	75	79	20	1,820	10
20	Trafford	91	85	81	79	84	19	1,170	106	71	Buckinghamshire	87	77	76	75	78	15	1,320	56
21	Warwickshire	90	82	81	81	84	16	1,220	98	72	Coventry	86	77	75	74	78	8	1,300	66
22	Cheshire	90	81	82	80	83	15	1,260	78	73	Durham	85	75	76	74	78	13	1,370	43
23	Cumbria	90	83	80	79	83	15	1,340	50	74	Kensington and Chelsea	85	81	76	72	78	19	2,060	2
24	Enfield	91	82	81	79	83	20	1,430	33	75	Kirkcaldy	86	76	76	74	78	18	1,300	65
25	Northumbria	90	82	81	79	83	14	1,280	72	76	Lancashire	86	73	76	75	78	10	1,310	61
26	Sefton	91	82	80	78	83	14	1,320	56	77	Leeds	85	82	74	73	78	15	1,430	33
27	South Tyneside	90	77	82	81	83	13	1,260	78	78	Leicestershire	86	76	76	72	78	13	1,290	57
28	Avon	91	86	77	78	83	18	1,290	67	79	Nottingham	85	77	77	75	78	13	1,340	50
29	Bury	90	83	78	78	82	15	1,320	56	80	Oldham	85	75	76	74	78	13	1,370	43
30	Croydon	88	81	81	77	82	12	1,190	104	81	Reading	86	78	74	73	77	12	1,290	72
31	Devon	90	82	76	80	82	16	1,440	31	82	Sheffield	86	74	75	72	77	19	1,840	6
32	Doncaster	89	81	80	80	82	14	1,310	61	83	Sunderland	85	79	74	70	77	19	1,710	14
33	Dorset	89	83	79	76	82	15	1,250	87	84	Tameside	86	75	74	73	77	14	1,200	102
34	Hertford and Worcester	89	84	77	79	82	16	1,290	67	85	Walsall	87	74	74	73	77	11	1,280	72
35	Lincolnshire	89	82	78	77	82	14	1,360	46	86	Wolverhampton	85	74	74	72	77	21	2,110	1
36	North Tyneside	89	87	76	76	82	16	1,210	100	87	Dudley	86	73	73	73	76	12	1,290	67
37	Northamptonshire	89	83	79	78	82	11	1,310	61	88	Hackney	85	78	72	69	76	16	1,320	56
38	Shropshire	90	80	80	80	82	11	1,230	93	89	Humbly Grove	84	72	72	74	75	14	1,460	29
39	Suffolk	91	81	78	77	82	15	1,350	48	90	Lambeth	85	73	72	70	76	8	1,260	78
40	Tameside	90	82	79	78	82	17	1,320	56	91	Lewisham	85	76	71	68	75	20	1,940	5
41	Wiltshire	90	83	78	79	82	16	1,260	78	92	Oldham	84	74	72	71	75	11	1,510	24
42	Wirral	91	75	81	80	82	18	1,280	72	93	Rochdale	86	75	74	73	77	14	1,200	102
43	Bedfordshire	87	82	77	76	81	12	1,380	42	94	Sunderland	87	74	74	73	77	11	1,280	72
44	Cambridgeshire	89	83	77	78	81	13	1,260	78	95	Westminster	85	74	74	72	77	21	2,110	1
45	Haringey	90	86	77	73	81	22	1,840	8	96	Liverpool	86	73	73	73	76	12	1,290	67
46	Oxfordshire	89	79	77	77	81	14	1,120	108	97	Manchester	85	78	72	69	76	16	1,320	56
47	Kent	89	80	79	78	81	13	1,570	18	98	Barling & Dagenham	84	72	72	74	75	14	1,460	29
48	Oxfordshire	88	76	80	79	81	21	1,350	48	99	Barnsley	83	73	72	70	76	8	1,260	78
49	Redbridge	87	80	79	80	81	14	1,240	89	100	Tower Hamlets	85	76	71	68	75	20	1,940	5
50	Stockport	88	78	79	80	81	13	1,260	78	101	Walsall	84	74	72	71	75	11	1,510	24
										102	Knowsley	82	70	73	72	74	11	1,360	37
										103	Sheffield	86	74	68	69	74	13	1,390	37
										104	Birmingham	81	73	69	68	73	12	1,260	78
										105	Bradford	80	69	71	70	73	13	1,500	26
										106	Greenwich	84	71	69	69	73	15	1,720	13
										107	Sandwell	78	72	70	72	73	13	1,450	30
											Newham	77	69	66	63	68	10	1,490	27
											Cleveland	80	82	68	68	87	8	1,230	93
											England					80	15		

Cleveland criticises 'distortion'

By PAUL WILKINSON

CLEVELAND, at the bottom of the government league table for testing of seven-year-olds, claimed yesterday that the figures were misleading and gave "a distorted picture of primary school education standards in Cleveland and the country as a whole."

Keith Legg, chairman of the county's education committee, said: "It is simply wrong for the government to suggest that, on the basis of these raw figures, it is possible to make any valid comparisons between various education authorities. Perhaps the key reason for this is a total lack of what is known as 'moderation' of the results from different authorities. In other words, there is no real effort to ensure that similar standards of testing are being applied in every area, and no independent checking."

Gordon Hodgson, Cleveland's chief education adviser, described the league table as inadequate and

No 10 finds few faults with much-maligned honours system

By MICHAEL DYNES
WHITEHALL CORRESPONDENT

JOHN Major's plans to reform the honours system, the twice yearly ritual in which money, birth, loyalty and occasionally merit are rewarded by the state, will not be as sweeping as many of his critics would have liked.

Changes to be unveiled early in the new year to bring the system up to date will not be "wholesale or dramatic" because the system "is a proper reflection of merit in our society", Mr Major said. The changes will be piecemeal and incremental, and will be evident

from the Queen's Birthday Honours List in June. Whitehall sources said.

Mr Major's announcement will come as no surprise to ardent critics of the system, such as Tony Benn, the Labour MP for Chesterfield, who want to see the entire edifice swept away and replaced by a system of parliamentary medals. But changes will have to be made in at least three areas if the honours system is to recover from the criticism of recent years.

First, the anachronistic class distinction between the Member of the British Empire (MBE) and the British Empire Medal (BEM)

has been the target of increasing ridicule. It is not that the BEM is the lowest of the awards which causes offence but the citation which accompanies it: "Awarded to those who do not qualify by rank for a higher medal."

John Major's goal of a classless society may be little more than a chimera. But many believe that the type of honour given to volunteers, firemen, people in the medical services, and other selfless citizens — by far the most popular element of the honours system — should no longer depend on "social rank".

Indeed, the 1990 all party commission on citizenship called

for the honours system to be revamped to reward those who played an active part in society through voluntary work, campaigning, and whistle-blowing. The commission insisted that this could best be achieved by granting the same weight to the achievements of ordinary citizens as is currently given to political, diplomatic, and administrative achievement.

Second, automatic honours for Whitehall time-servers can be expected to be gradually phased out. Home civil servants, honoured under the Chivalrous Order of the Bath, and Foreign Office diplo-

mats, honoured under the Order of St Michael and St George, can no longer claim that knighthoods and membership of some archaic imperial order are needed to compensate for low pay.

The third area is political honours, the one element of the system that tarnishes all the rest. But Mr Major's reforms are likely to stop short of any significant overhaul.

Since the time of Lloyd George, when a peerage could be bought for £100,000 and a knighthood could be had for £10,000, the purchasing of honours has been illegal.

Despite the creation in 1925 of

the political honours scrutiny committee, the feeling that the honours system is open to abuse is widespread.

According to a survey carried out after publication of Baroness Thatcher's resignation honours list in December 1990, 68 per cent of the industrialists given peerages since 1979 were from private sector companies who had donated £4.38 million to Tory party funds.

It is true that many companies contribute to Tory party funds and receive no honours and that some business executives have been honoured without making contri-

butions. Nevertheless, the system is seen as "unhealthy".

Likewise, the claim of Nicholas Winterton, the Tory MP for Macclesfield, on Granada's *World In Action* programme in 1988 that honours have been bestowed on politicians who, against their better judgment, have voted the party line, came as no great surprise. Nothing has changed.

Party discipline remains essential for effective government, and the honours system helps it along. The central defect, however, remains that too few honours go to those whose life and work really merit it.

Lamont's job safe as Major rules out new year reshuffle

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

JOHN Major firmly ruled out an early cabinet reshuffle yesterday, making plain that Norman Lamont, the Chancellor, is safe in his job after persistent speculation that he would be moved to a fresh post in January. Mr Lamont is expected to deliver the March Budget.

Mr Major, returning from his weekend visit to the United States, said: "If I thought it was necessary to have a reshuffle, or if I found someone who patently was in difficulties in doing their job, then of course I would make those changes as and when it was necessary, and I would make them immediately I thought it was necessary. But I do take the view that it is wise for ministers to have sufficiently long in a job to be able to drive policy themselves, to be able to fix the holes in past policy, to be able to carry out their own ideas about how policy should develop in the future."

He then told the BBC: "I find that moving ministers around too quickly is not conducive to good government. I am not anticipating a January reshuffle." Asked specifically about the Chancellor, he replied: "You have just asked me whether there was about to be a reshuffle and I indicated that there was not."

In a wide-ranging interview, Mr Major suggested that the monarchy would emerge strengthened from its present troubles and said that the government had suffered a good deal of bad luck in the period around Black Wednesday. As to whether there had been misjudgments, "others must make up their minds about that". Asked whether he thought the government had made mistakes, he said: "A government that never made mistakes never did anything."

Asked whether he would have resigned if the Maastricht treaty debate had "gone the wrong way" in the Com-

mons, he replied: "Well, it did not go the wrong way, so the situation does not arise."

The prime minister made plain that he wanted to turn his attention to the domestic agenda in 1993 and spoke of "recreating the enterprise culture" that was so successful in the 1980s. Companies must have the confidence to carry out capital investment.

Mr Major predicted a Gair agreement early next year. He said that, over the weekend "when it looked as though it was going astray", the meeting with President Bush and Jacques Delors, president of the European Commission, had put it back on track.

He backed moves towards liberalisation of the Sunday trading laws. "That is becoming overwhelmingly the view both of commerce and of the public at large and I think the success of Sunday trading in recent months, although many dislike it, has been quite remarkable."

Timing holds key to success in cabinet switches

WHEN John Major reformed his government after the April election, he compared the process to going round the Grand National course. There might be the odd fall at Becher's Brook — such as the spurned invitation to Edwina Currie, and David Mellor's eventual departure in September. But Mr Major hoped the riders would stay on the same mounts for some time.

So it was no surprise when Mr Major confirmed yesterday that there is "not about to be a reshuffle". Ministers should have "sufficiently long in a job to get thoroughly on top of it, to be able to drive policy themselves, to be able to pick the holes in past policy, to be able to carry out their own ideas about how policy should develop in the future. I think moving ministers around too quickly is not conducive to good government."

Mr Major spoke from personal experience, having held five posts in just over five years. Professor Richard Rose of Strathclyde University has shown that on average cabinet ministers spend only 2.5 years in any post.

The average time has varied little between the relatively short-lived Tory and Labour governments of the 1970s and the one-party rule since 1979 — though there is a big

contrast between departments. Ministers lasted on average only 1.3 years at the trade and industry department, and 1.7 years at transport between 1964 and 1991. But prime ministers and Lord Chancellors managed 4.7 years on average over the same period.

Mr Major's desire to keep ministers in the same post longer has been welcomed. But it is easier at the start of a parliament than later when political pressures are greater.

Mr Major has backed Norman Lamont. For all the Chancellor's recent brushes with controversy, he has been resilient and skilful in the Commons. He has been given the chance to complete the readjustment of policy since Britain left the European exchange rate mechanism, and to develop the institutional and tax reforms he started.

Keeping Mr Lamont in place suits Mr Major's interests. The other budgeted senior minister, Michael Heseltine, will also be allowed to complete his review of energy policy after the pit closures climb-down in mid-October.

Otherwise, key ministers are in the middle of legislation or far-reaching policy changes

(such as John Patten with schools and 16 to 19-year-olds, John MacGregor with rail privatisation and finance for roads, Michael Howard with the council tax and green policies, and Kenneth Clarke with the police). Some on the Tory right complain that their views are insufficiently represented in the cabinet, but they have only two or three plausible candidates for promotion.

The key to any mid-term reshuffle will not only be Mr Lamont, but also Douglas Hurd. He shows no sign of wanting to step down as foreign secretary in the immediate future and may even continue to the end of the parliament. Any changes could feature Sir Norman Fowler, who left the cabinet nearly three years ago, but who has regained political weight as party chairman.

Even though the government has been through a rough patch, Mr Major does not want to be forced into the rarely useable tactic of a reshuffle until either he has to do so or it fits into his election preparations. Shifting the Chancellor and the home secretary now would mean giving up the chance of a switch later. Mr Major knows that the key to reshuffles is the timing.

PETER RIDDELL

Legal fees enquiry digs deeper

By SHEILA GUNN, POLITICAL CORRESPONDENT

SIR Robin Butler, the cabinet secretary, is expected to be called before a parliamentary enquiry to be questioned about the £4,700 paid by the Treasury towards Norman Lamont's legal fees for evicting a "sex therapist" from his London house.

Sir Robin will be asked by the Commons public accounts committee about the rules on the use of public funds to help ministers and on the details of comparable contributions towards the legal bills of former cabinet ministers. The committee, which has a majority of Tory members, is also understood to be anxious to find out if Sir Robin knew of and sanctioned the payment.

The MPs will focus on questioning senior civil servants about the report on the contribution to Mr Lamont's legal fees which is being drawn up by Sir John Bourn, the public spending auditor. Sir John will give his report to the committee in mid-January. The hearing with officials about his findings is likely to be arranged for February.

Sources close to Sir John's office indicate that the report could criticise officials for including the payment under the broad heading of "Treasury running costs", certified by the National Audit Office, instead of being itemised.

The auditor-general is not likely to comment directly on the ethics of the payment, but he looks certain to give details of public payments, and their declaration, towards the legal costs of other ministers, such as Lord Lawson of Blaby, the former chancellor, and Lord Young of Grafton, the former trade and industry secretary.

Although the MPs on the committee will not take a firm decision on which officials to question, some of the committee predict that Sir Robin will be invited because he draws up the guidelines to permanent secretaries, who are the accounting officers for the departments, about the use of public money in such cases.

Sir Peter Middleton, are also likely to be called. Sir Peter sanctioned the £4,700 contribution towards Mr Lamont's £23,000 legal bill.

Sir Robin is understood to be looking again at the guidance to permanent secretaries, to set out more precisely when public money can be used, following the furore over the Chancellor's legal fees. Mr Lamont's advisers are confident that the payment in his case was within the guidelines. However, rules on expenses incurred as a private citizen and a public servant appear to be blurred.

Gordon Brown, the shadow chancellor, has written to John Major asking for a new code of conduct to be agreed and made public.

The Commons committee on members' interests is also considering changes to order all MPs and ministers to declare donations in the register. The committee is looking at a complaint about the remaining £18,414 of Mr Lamont's legal bill which was paid by anonymous Tory party supporters.



Royal audience: John Major discussing affairs of state with the Queen at Balmoral earlier this year

The Queen finds a friend in deed to withstand her annus horribilis

By ALAN HAMILTON

BESIEGED and bloodied by fire, tabloids and domestic upheaval in recent weeks, the monarchy appears to have found a knight on a white charger in John Major. In a wide-ranging interview on BBC Radio 4 yesterday, the prime minister took time to defend the embattled royal family and to declare his faith in its future.

Answering questions from Robin Oakley, the BBC's political editor, during a flight back from Washington, Mr Major said he did not believe that the monarchy was threatened. "The institution of the monarchy is enduring. It is an essential part of our landscape in this country," the prime minister said.

Speaking in the wake of a month of ill winds that have buffeted the Queen, from the fire at Windsor Castle, through her admission of an

annus horribilis, her decision that she must now offer to pay income tax, and the formal separation of the Prince and Princess of Wales, Mr Major said: "If one looks over the past 250 years, there have been many times when the monarchy appeared to be running into difficulties for one reason or another."

"I believe the monarchy will weather the difficulties it has had in recent months and will emerge strengthened. I detect no enthusiasm in this country for anything other than a continuation of the constitutional monarchy. I detect no appetite for change."

In contrast to his predecessor, whose relations with the head of state were impeccably correct but, by all accounts, personally cool, Mr Major has gone out of his way to display his support for Buckingham Palace when the

whole value of hereditary monarchy is under scrutiny.

He cancelled an important meeting with Jacques Delors, president of the European Commission, to announce to the Commons the separation of the Prince and Princess of Wales. Constitutionally, he had no need to do so, but he wished to save the Queen and her family the embarrassment of a backbench uproar over why the House was not the first to know.

The monarch has probably not enjoyed such a warm relationship with a Conservative first minister since the days of Churchill, who positively worshipped his young and tender queen. Macmillan was respectful but essentially patronising. Douglas-Home too briefly in the post. The almost presidential style of the Thatcher administration was said to be not entirely to the

Queen's liking, although the truth will not be known until state papers are released.

Labour ministers, with the exception of intellectuals such as Richard Crossman, seem to enjoy warm relations with the monarch, and vice versa. The queen was supported unwaveringly by her two Labour prime ministers, the humble but clever Harold Wilson and the rather grander James Callaghan. During the inflationary years of the Wilson administration the Queen had to go twice, crown in hand, to her socialist prime minister and plead poverty.

On both occasions Wilson fully supported her pay rise, although he did set up a select committee on the royal finances in 1971. Once again the royal finances are under review, and once again a highly sympathetic prime minister is at the helm.

MP wins £150,000 over libel

By A STAFF REPORTER

GEORGE Galloway, the Labour MP for Glasgow Hillhead, won £150,000 in libel damages and costs in the High Court yesterday over allegations that he was a liar who abused parliamentary privilege.

The *Daily Mirror* and the *Daily Record* had published a virulent attack on Mr Galloway the day after he tabled a motion in the Commons last year inviting MPs to reflect on allegations in the book *The Samson Option* about the involvement of Nicholas Davies, the *Daily Mirror* foreign editor at the time, in arms dealing, and the betrayal of Mordechai Vanunu, the Israeli nuclear technician, to the Israeli authorities.

The papers had falsely accused Mr Galloway of abusing parliamentary privilege to make untrue allegations about Mr Davies. □ Baroness Bruntisfield won libel damages in the High Court yesterday over false allegations in *Tatler* that the restaurateur Nicky Kerman was her son.

Reynolds expects to confound critics and lead Irish coalition

By EDWARD GORMAN, IRELAND CORRESPONDENT

THE Irish Republic, which went to the polls to elect a new government on November 25, is not expected to get one until January 11, breaking all previous records for coalition building.

It is virtually certain that the voters will be presented with a Fianna Fáil-Labour partnership when the negotiations are completed. This is not what many of them would have expected after Labour's significant gains and Fianna Fáil's poorest showing in its history.

But the failure of the so-called rainbow coalition of Fine Gael, Labour and the Progressive Democrats to materialise has given Albert Reynolds, the Fianna Fáil leader and acting prime minister, a new lease of political life. As one observer in Dublin put it yesterday: "The crazy thing is that the man who got the lowest turnout for Fianna Fáil in the party's history — who lost nine seats, which is a catastrophe — is now going to return as Taoiseach in charge of a government with the biggest majority in the history of the state."

Part of the reason for the delay of almost two months is the determination of Dick Spring, the Labour leader, to

work through every area of policy to ensure that big divisions do not arise to weaken a coalition that he hopes will last a full term.

Originally, Mr Spring had said that he wished to rotate the office of prime minister during the lifetime of the next government, but that idea has now been dropped. Labour hopes instead for at least six of the 15 cabinet seats, a significant share of the junior ministries and the implementation of many of its main policies.

The discussions being held at government buildings in

Dublin are dealing with a joint programme on health, education, disability and childcare. A final manifesto is not expected to be agreed until the new year, delaying the election of the new prime minister until the second week of January.

Mr Reynolds has done his best to dispel the perception that Ireland is drifting through Christmas and into 1993 without a government. He told the Dáil after tendering his resignation to Mary Robinson, the president, last week that no one should think there was no government. His administration remained in full control and with full powers, he said.

One interesting anomaly is the predicament of John Wilson, who decided to retire from politics after a long career representing the Cavan Monaghan constituency near the border, and did not stand in the election.

Despite this, he remains deputy prime minister and minister of defence. In theory, if Mr Reynolds fell ill, Mr Wilson would become the country's first entirely unelected prime minister, neither a member of the Dáil nor the Senate.



Spring: seeking six Labour cabinet jobs

NEWS IN BRIEF

Ex-taxman robbed to pay loans

A retired taxman robbed a bank using a fake gun after falling behind with repayments on loans taken out to his daughter's university education.

The Old Bailey was told that bank staff and passers-by seized Frederick Cowen, an arthritis sufferer, as he hobbled away from a Midland Bank branch in Whetstone, north London, with £1,500, after brandishing the gun made from garden hose and a piece of metal.

Cowen, 68, of Upper Holloway, north London, who has a son in the police, admitted robbery and possessing an imitation firearm. Judge Pownall put him on probation for three years after medical reports disclosed his financial plight had brought on a depressive illness.

Animal rights arson attack

Animal rights activists are suspected of causing a blaze that gutted offices at a Milk Marketing Board farm yesterday. Bomb disposal experts were called in after incendiary devices were discovered strapped to two tractors at the farm.

The fire brigade was called to Warren Farm in Lambourn, Berkshire, shortly before 7am. "It is believed the building houses records on the slaughter of beef," said police.

Whales row

A pod of seven killer whales was still swimming around a Shetland inlet as experts argued about whether they were in danger. Local people were advised to try to drive them out of Cat Firth if they were still there last night by Dr Peter Evans, a whale expert in Oxford. But "it is most important human interference be avoided," the Scottish Agricultural College said.

Lawyer to sue

A woman lawyer who was charged with handling stolen property is to sue Essex police for wrongful arrest, false imprisonment and malicious prosecution. Magistrates at Chelmsford yesterday awarded Hazel Jones, 29, a four-figure sum to cover her legal costs in the criminal case, which was dropped.

Scalding death

A baby died after being scalded in the bath when his young brother turned on the hot tap. Police said the death of James Evans, aged nine months, of Brecon, Powys, was being treated as an accident.

Top-price toy

A Ferrari Testarossa pedal car sold at auction for just over £6,000. John Pantell, 15, of Croydon, south London, sold the car to help to pay for his education. The full-size version costs about £120,000.

Driver jailed

A Belgian lorry driver who was five times over the alcohol limit when he drove off a ferry in Dover, Kent, was jailed for six months. John Issac, 35, was also banned from driving in Britain for five years.

Singer recovers

The comedian and singer Kenny Lynch is recovering at home after a triple heart bypass operation. Jimmy Tarbuck, Bruce Forsyth and Adam Faith visited him in the Middlesex Hospital.

Boy's damages

Stephen Pearson, 10, of Ascot, who has cerebral palsy because of a hospital blunder at birth, won £730,000 damages in the High Court from East Berkshire Health Authority.

Quick cuffs

Police in Hampshire are using 4,000 sets of new American handcuffs designed to allow them to restrain suspects faster and more safely.

High winds seen as key to holiday jet disaster

By Nigel Hawkes
Science Editor

STRONG crosswinds or a sudden loss of lift because of wind shear were last night suggested as possible causes of the air crash in Faro, Portugal.

The weather was poor, with 40mph winds and driving rain. The pilot of the Dutch DC-10, owned by the charter firm Martinair, gave no indication of technical problems as he came in to land, and Faro airport has a generally good record. This is the first big crash since the airport opened in 1967 as a destination for charter companies flying holidaymakers to the Algarve.

The pilot, who survived the crash, was too shocked to provide any account of what had happened. The "black box" recorder was recovered and is being analysed. The pilot of a Martinair Boeing 747 which had landed shortly before the DC-10 reported seeing flames coming from the aircraft as it landed, but Joaquim Ferreira do Amaral, the Portuguese transport minister, said that the most likely cause of the crash was localised bad weather. The

■ A headwind, then a powerful downdraught and finally a tailwind. A pilot of a modern jet has no way to beat a succession of all three

aircraft broke up after one wing struck the runway, and burst into flames. Final figures of deaths and injuries were delayed because some passengers appear to have escaped and made their own way to hospital or to hotels. In spite of the disintegration of the plane and the fire, most of those on board survived the accident.

The DC-10 made at least two attempts to land in difficult conditions. According to Francisco Severino, the assistant airport director, on its final attempt "the plane had already landed, but the wind came under the wings and lifted it back into the air." A wing touched the ground and the aircraft broke into two.

The circumstances suggest a last-minute loss of control, most likely caused by weather conditions. Sudden changes of wind direction are among the most difficult challenges faced by pilots. The most extreme cases are caused

when a region of air cools rapidly and plummets to earth like a waterfall, spreading out in all directions as it nears the ground. A pilot flying into such a disturbed region of air first encounters a headwind, then a powerful downdraught, and finally a tailwind with consequent sudden loss of lift.

Bernie Baksteen, chairman of the Dutch pilots' association, suggested this might be the cause. "A sudden loss of wind can cause the aircraft to lose wind speed suddenly and to such an extent that it can no longer fly and falls".

Limited Airlines, which has carried out extensive studies of the problem, warns its pilots not to take off or land if the flight path has localised heavy wind or heavy rain, and to consider holding back if there is serious turbulence, rain showers, or lightning. Most of these conditions were present yesterday at Faro.

The crash does, however,

maintain the trend of increasing survivability. Any crash which occurs near an airfield with the aircraft under control is now considered survivable. American statistics show that between 1988 and 1991, 242 passengers and crew died in crashes, while 528 survived. In the previous eight years 1,000 had died and only 116 survived.

There is no special recipe for survival. The strongest section of any aircraft is the region where the wings are attached, and in survivable accidents it is common for the nose and tail to be detached, breaking the aircraft into three. The old adage that the rear of the aircraft is the safest has little statistical support. In yesterday's crash, the front section remained more or less intact, while the mid-section and tail were the worst damaged.

Yesterday's accident is yet another chapter in the unlikely history of the DC-10. Of the 445 built, 18, or 4 per cent, have crashed, compared with only 1.2 per cent of the comparable Lockheed L-1011s, and 1.5 per cent of the Boeing 747s.

Two hundred escape, page 1



Search for clues: workers sifting through the wreckage at Faro airport yesterday

NEWS IN BRIEF

Tajikistan rebellion defeated

Moscow: The main stronghold of Islamic rebels in Tajikistan fell to pro-government forces on Sunday night after three days of fierce fighting. Tass said yesterday.

The news agency said there were casualties on both sides after an intense battle for Kofarnikhon, 15 miles east of the capital, Dushanbe. (Reuters)

Trial goes on

Berlin: A court decided to continue with the trial of Erich Honecker, 80, the former East German leader, although doctors say he will die within six months. (AP)

Dietrich protest

Berlin: The granite tombstone of Marlene Dietrich was pushed over by vandals here. Many Germans have not forgiven her for singing for US soldiers in the war. (AFP)

MP wounded

Athens: An MP was wounded in what was seen as an attempt to intimidate the ruling New Democracy party over the vote on next year's budget.

Russia to give ailing economy £1 bn boost

FROM ANNE McELVOY IN MOSCOW

RUSSIA is planning to pump 1,000 billion roubles (£1.53 billion) into the economy this month and may introduce its own currency in a substantial shift in monetary policy, a senior Central Bank official said yesterday.

Valeriy Kulikov, the bank's deputy chairman, told investors: "Russia is ready to shift to a national currency, something that will happen any day now." The announcement is a clear change of direction from the tight monetary controls imposed by Yegor Gaidar, the

radical reformer ousted last week and replaced by Viktor Chernomyrdin as prime minister. It will worry Western investors and advisers who fear the country risks hyperinflation.

Mr Kulikov, who like many Central Bank officials has been a critic of the reform programme, said: "We will change Central Bank policy in accordance with government line as declared by the new premier." There was no word from Mr Chernomyrdin on the plans for a new currency and Mr Kulikov's statement

that its introduction was imminent has been greeted with scepticism by some observers who see it as a suggestion to test the political waters.

However, an increase in state credits and investments to enterprises seems likely. Mr Chernomyrdin has spoken of the need to protect Russian industry from the free market and does not share Mr Gaidar's faith in rapid reform.

The Central Bank appears to see a new lease of life under Mr Chernomyrdin. It chafed under the strict guidelines laid down by the International Monetary Fund and wants a return to more autonomous decision-making on the economy.

The introduction of a Russia-only currency is intended largely as a psychological fillip after a year of high inflation. But the step is useless without a commitment to stabilising the currency. There is still no indication about how Mr Chernomyrdin intends to tackle this, especially as the 1,000 billion rouble boost to industry will have an immediate inflationary effect.

The IMF and World Bank have been counselling Russia to keep tight fiscal controls and pursue an anti-inflationary path. But the effects on Russian industry, which is heavily dependent on subsidies, have been devastating, with a 20 per cent slump in output this year. The country's industrialists, to whom Mr Chernomyrdin, a former Central Committee industry department official, is sympathetic, have been urging the government to increase credits to state enterprises for some time. The Gaidar team resisted this pressure. Mr Chernomyrdin seems more inclined to slow the pace of reform and bail out industry — which will not please Western investors. His new cabinet, due to be announced today, is likely to be split between the adherents of shock-therapy and "go-slow" factions.

Russia in slow lane, page 19

Hurd says EC can now look outward

FROM GEORGE BROCK IN BRUSSELS

BRITAIN'S presidency of the EC has "cleared the decks" for the Community to concentrate on a real agenda for the future, the foreign secretary said last night.

After chairing his last council of EC foreign ministers before Britain hands over the rotating chairmanship to Denmark on New Year's day, Douglas Hurd said that earlier this year he had worried that EC governments would spend 1993 "scratching away" all over again at the Maastricht treaty. The EC had passed through "abnormal clouds and storms", but had reached agreement on its internal workings and would be able to look outward again.

Mr Hurd said that the EC could concentrate on helping the countries of eastern Europe, negotiating with four states hoping to enter the EC in 1995, and building a relationship with Bill Clinton, the US president-elect. He acknowledged that there was one piece of unfinished business: the General Agreement on Tariffs and Trade talks, which continued yesterday in Geneva. He attacked, without

naming France, the campaign, spearheaded by Roland Dumas, the French foreign minister, to unravel the EC's position.

□ Funds defeat: The EC foreign ministers last night abandoned efforts to agree on funds for research into television screens being developed by Dutch and French electronics firms. Transport ministers also failed to agree on a system for licensing lorries operating across EC borders.



Dumas: attacked over position on Gatt

Spaniards bet on a winner

FROM EDWARD OWEN IN MADRID

The draw takes place today in Madrid for El Gordo (The Fat One), the world's largest and oldest state lottery, paying out more than £800 million in prizes. While the British government is considering a similar scheme, the Spanish lottery organisers are suspicious of a proposal that the proven money-spinner be handed on a plate to private enterprise.

"In Spain the lotteries are run by a government department and on all national lotteries such as El Gordo we take only 5 per cent for administration costs, whereas the British government would give 15 per cent to the commercial organisers," a spokeswoman for the Loteria Nacional said. "This means there will be less money for prizes, the Treasury and worthy causes."

In Britain, the Treasury plans to offer a weekly jackpot of £1 million with

the income from ticket sales split 50 per cent for prizes, 20 per cent to the Treasury, 15 per cent to the lottery operator and 15 per cent to charities and culture. But the Spanish lottery organisers, who have been in business since 1811 when the lottery was launched to raise funds during the Napoleonic wars, have found the public have to be offered a better deal without any suggestion of chicanery.

In Spain, prizes account for 70 per cent of ticket sales, which soared after 1941 when the chances of winning back state money were increased. Five per cent goes on running costs and 25 per cent to the Treasury or specific causes. Last year, £1,007 million was raised for good causes from the various state lotteries and pools schemes.

This year the national lottery has raised £8 million

each for the Red Cross and Madrid's cultural capital programme, as well as £5 million for cancer research. Contributions of about £8 million each went to the Expo world fair, the Olympic Games and the fifth centenary celebrations of the discovery of America. Spanish sporting organisations received £39 million from football pools and horse racing systems also run by the lotteries' office. Blind people in Spain benefit from their own organisation. Once, that employs 30,000 people and last year sold £1,500 million of tickets.

Far from British worries about encouraging gambling, the Spanish government is happy to reap the benefits from having the biggest nation of inveterate gamblers after the Philippines. Last year, the interior ministry calculated, Spaniards wagered £11,363 million, that is £287 per capita.

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Serbian vote gives lead to Milosevic and boosts far right

The opposition and international observers are alleging electoral fraud. Minorities fear rule by the Socialists and extreme nationalists

FROM TIM JUDAH AND DESSA TREVISAN IN BELGRADE

SERBIA moved further into international isolation yesterday as Slobodan Milosevic coasted to victory in the presidential race as the results of Sunday's elections began to come in. But early results showed a sharp fall in support for his Socialist party, with a marked swing to the right.

The greatest victor was the extreme nationalist Serbian Radical party which is allied to the Socialists. The Radical party is led by Vojislav Seselj, who was named last week by the American Secretary of State, Lawrence Eagleburger, as a possible war criminal. Mr Seselj's party militia has been identified in reports by the State Department and human rights groups as being behind the murder of some 3,000 Muslims in Brcko, northern Bosnia, last spring.

As the extent of the crushing defeat for the opposition became clear, Milan Panic, the Yugoslav prime minister and main challenger to Mr Milosevic, called for the elections to be annulled and for a new poll to be held within 90 days. An aide to Mr Panic said that the demand was being made because of "fraud and cheating". He added that some results announced by the Socialist party were "incredible".



Milosevic: confident of election victory

On the basis of partial results, the Serbian election commission said that Mr Milosevic's share of the vote was 53.59 per cent, with 36.21 per cent for Mr Panic. A Socialist party spokesman said: "We are confident that Milosevic is convincingly ahead of Panic and that he will win in the first round." He rejected opposition charges of fraud and said: "We can also talk of irregularities because of the historically unprecedented pressure from the world's mightiest powers to point at those that they want the Serbian people to vote for."

Observers from the Conference on Security and Co-operation in Europe said that their preliminary report had found the poll "seriously flawed". An official of the conference, Jack Zerkulic, said: "Given the very close nature of the election results thus far, any amount of registration problems — between 5 per cent and 10 per cent — might determine the outcome." Observers have criticised the use of television by Mr Milosevic in the campaign.

However, observers said that the alleged fraud did not necessarily mean that the polls should be declared null and void. Vasilje Popovic, an opposition deputy from Romania, when asked whether there should be new elections, replied "of course not". Ever-widening figures between the opposition and the Socialists and Radicals during the day indicated that the opposition was heading for a genuinely severe defeat.

According to figures released by the Depos opposition coalition, it was only leading in Belgrade. In some parts of Serbia it had been pushed into third place behind the Radicals. Between them, the Socialists and the Radicals looked set to pick up half the votes for the Serbian and Yugoslav parliaments with a quarter for Depos.

A Depos official said that a coalition of Socialists and Radicals would be "a catastrophe. It would be a government that has no credibility in the West and the international community. We would drift further away from Europe and the world... it would be ever more a police government."

Mr Seselj, a former university law teacher from Sarajevo, is a militant believer in Greater Serbia and has called for the deportation of non-Serbs from Serbia. The triumph of the Socialists and Radicals will send shivers down the spines of the members of Serbia's minorities. Only 65 per cent of Serbia's population are ethnic Serbs. The largest minority are the ethnic Albanians of Serbia's southern province of Kosovo, followed by Hungarians in Vojvodina in the north. Thousands of Hungarians have already left Serbia.

In Kosovo, ethnic Albanian leaders told their people to boycott the poll with the clear hope that Mr Milosevic would be re-elected. They hope that Serbia will collapse under international pressure and that, in the ensuing chaos, they will be able to snatch independence for Kosovo. However, Serb nationalists may now press for the "ethnic cleansing" of the province, regarded by Serbs as the cradle of their civilisation.

One man said yesterday that he had voted for Mr Seselj because he hoped that President Yeltsin would soon be overthrown, "and so if we hold on long enough the Russians will come and help us".



Party conference: Vuk Draskovic, the leader of the Democratic Movement, the main Serbian opposition group, weighing up results in the presidential elections with colleagues in their Belgrade offices yesterday. Slobodan Milosevic, the former Communist, was coasting to victory

International monitors find election flaws

The Serbian president used the state apparatus to ensure there was no level playing field in the elections, explains Michael Meadowcroft, who is part of the international monitoring team



Working out of the Belgrade Hyatt Hotel is hardly conducive to a deep understanding of the fatal consequences of the break-up of Yugoslavia or the effect of UN sanctions on Serbia. A two-hour drive in any direction from Belgrade brings a very different perception.

One hundred or so international observers did just that, covering every region of Serbia and Montenegro and visiting one in ten of the country's 10,000 polling stations. Their reports are remarkably consistent. One per cent of electors were omitted from the electoral register. That was particularly the case among young people, who are said to support the opposition candidate, Milan Panic.

In a country where traditional family and community pressures are still effective, the lack of facilities for voting in secret in many polling stations was a serious breach of electoral law and practice. Observers reported seeing families voting together, then the husband placing all the ballots into the box.

With the burgeoning of elections over the past four years, international election monitoring has become a thorough art. Observers know that they must monitor the entire process, rather than just polling day. Problems are most likely to be visible in the latter stages of the campaign and in the counting and declaration of votes.

Such attention has not been possible in Serbia. The problem of getting here, plus prolonged attempts to stop Mr Panic from running for the Serbian presidency, inhibited the early appointment of observers. Now with turkey and

plum pudding beckoning, there will be few observers left after tomorrow.

This has been far from a normal election. The war conditions in Bosnia and the imminent possibility of escalation invests the result with serious consequences. Slobodan Milosevic, the Serbian president, has been playing for high stakes and his Socialist party's control of the state apparatus has undermined any possibility of a level playing field.

Those who have been monitoring media coverage over recent weeks have consistently reported a blatant and callous bias by the state-owned Radio Television Serbia. An hour and a half of Mr Milosevic interspersed with eight minutes of Mr Panic has not been uncommon. An independent election supervision committee has issued seven increasingly outspoken criticisms of the broadcast output.

The commission said that the station's bias "can discredit the very legitimacy and legality of the election in the eyes of the domestic and international democratic public". Such opinions in any normal situation would lead to legal action. But the breakdown of Yugoslavia has left federal authorities no power to enforce its own electoral laws.

These elections must be considered flawed. It is not easy to quantify the electoral impact on opposition candidates, but I judge it to have been significant. If Mr Panic does demand a fresh election, he would certainly have much sympathy.

Michael Meadowcroft is a former Liberal MP and chairman of the Electoral Reform Society

Fair showing by Panic will help the West

Milan Panic's share of the vote in the Serbian presidential election suggests that the opposition to the regime of Slobodan Milosevic has closed ranks behind him, Roger Boyes writes



Slobodan Milosevic, the Serbian president, seemed last night to be heading for re-election as early returns gave him a large and probably decisive lead over his challenger, Milan Panic.

The result, if it is confirmed, is a blow to the West. The resurgence of debate about the use of force in Bosnia was at least partly fuelled by the wish to sway Serbian voters away from Mr Milosevic. Even the modest proposal to enforce a "no-fly" zone over Bosnia has had some impact on Serbs in Belgrade. It would take only a three-minute diversion from its flight path for an American war plane to move out of Bosnian air space and bomb the Serbian capital.

This head of steam apparently was not enough to oust Mr Milosevic. There are some doubts about the fairness of the poll. Thousands of names were dropped from the electoral register and if the foreign observers produce a sufficiently damning report, Mr Panic will be able to challenge the result.

On the basis of 10 per cent of counted votes, Mr Milosevic yesterday had 53 per cent to Mr Panic's 36 per cent. Mr Milosevic's control of state television, his printing of money to raise industrial wages and welfare payments, the strong influence of his Socialist party machine in the countryside and his command of the police apparatus all contributed to the president's lead.

Given the obstacles, Mr Panic, who has the nominal job of prime minister of Yugoslavia, has made a creditable showing. His share suggests that the opposition to the Milosevic regime has closed ranks

behind Mr Panic. One conclusion is that every Serb who voted for Mr Panic is against continuing the war.

Mr Milosevic is a power politician, skilled at manipulating elites and institutions. He is also sensitive to rumbling from the public and the rumbling has never before been so loud. There is thus substantial popular pressure on him to settle the war in Bosnia on the best possible terms for Serbia, and soon. That means either agreeing to the United Nations plan to decentralise Bosnia into ten autonomous cantons, or agreeing to carve up the republic with Croatia. The first option means that the West can at least pretend to have rescued the integrity of Bosnia. The second, which would leave a small Muslim state sandwiched between an enlarged Serbia and Croatia, is more to Mr Milosevic's liking.

The victory of Mr Milosevic may not be very palatable to the West, but it is not necessarily disastrous. A heavily qualified victory for Mr Milosevic may make for more malleable crisis management than a water-tight majority for Mr Panic. Mr Milosevic would surely have done his best to undermine Mr Panic had the Californian businessman become president. Since Kosovo Serbs swear personal loyalty to Mr Milosevic, it would have been an easy matter to stir up the very crisis there that the West so fears.

Mr Panic has performed, and will continue to perform, a useful task in defining the limits of Mr Milosevic's power. He has made it a little more possible for the West to box its way through the Balkan crisis.

Rome says Belgrade using Hitler tactics

FROM JOHN PHILLIPS IN ROME

ITALY has staked a claim to be the main Western protector of the Albanian community in the Kosovo province of the rump Yugoslavia, and President Scalfaro, in a rare outburst, has accused Belgrade of using "half-Hitlerian, half-Stalinist" methods in Bosnia.

Signor Scalfaro received a tumultuous welcome in Tirana, the Albanian capital, at the weekend during what President Berisha noted was the first official visit by a foreign head of state since the end of Enver Hoxha's dictatorship. The normally taciturn Signor Scalfaro said: "We see Albania as an essential point of stability in the Balkan area that has seen so much blood spilt. The Serbs want to impose their power where they have no right with inhumane systems."

"In Kosovo — and I want to pronounce it as you do — a strong prevention effort is needed now so as not to arrive too late. We must ensure that Kosovo has ample and true autonomy, and the fact that 90 per cent of the population is Albanian is respected."

"Serbia is employing methods that are half-Hitlerian and half-Stalinist. These are intolerable for the international community," Signor Scalfaro indicated that Rome supported Tirana's request for United Nations or Nato troops to enter Kosovo as a protective force. "Italy stands solid with its friend Albania and is pressing for strong, serious preventive action," he said.

The criticism of Serbia was welcome in Tirana on the eve of the polls in the rump Yugoslavia. But diplomatic sources said it was unclear how far Italy would go to protect its former colony in the event of the conflict spreading to Kosovo.

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Major presses for extended deadline to clear the skies

BY PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT, MICHAEL EVANS, DEFENCE CORRESPONDENT AND OUR FOREIGN STAFF

BRITAIN is pressing for a deadline of at least 21 days before a new United Nations resolution enforcing a "no-fly" zone over Bosnia is put into effect.

After returning from his trip to Camp David, John Major indicated that he regarded the 15-day ultimatum, favoured by Richard Cheney, the American defence secretary, as too short. Asked whether, in endorsing plans to enforce the "no-fly" zone, he had been pushed against his better judgment into a policy that could put British troops at risk, the prime minister replied: "I don't believe remotely that is the case."

He said: "We have reacted very cautiously on Bosnia but I think we also have to realise what is happening there. Many of the actions we have seen in Bosnia are quite unspeakable, quite intolerable, and I think we have to reflect [that] in our policy."

With the UN Security Council expected to approve enforcement of the "no-fly" zone later this week, Douglas Hurd, the foreign secretary, warned Belgrade that if there was not a "rapid and radical change in policy", Serbia and Montenegro would face total

isolation. They did not have long to make that choice, he said, as he began talks on Bosnia with his fellow European Community foreign ministers in Brussels. The EC ministers later issued a warning that a win by Slobodan Milosevic in the presidential elections would trigger tighter sanctions against the rump Yugoslavia.

There continued to be irritation over Mr Cheney's remarks that a 15-day deadline had been discussed between Mr Major and President Bush. Mr Cheney was not present during the formal part of the weekend talks about enforcing the "no-fly" zone over Bosnia. British officials said. Only five people were at the talks: the president, Brent Scowcroft, the American National Security Adviser, Mr Major, Gus O'Donnell, his press secretary, and Stephen Wall, his private secretary, responsible for foreign affairs.

British officials felt that there remained a degree of incompatibility between London and Washington over the implementation of the "no-fly" zone. Options for protecting the 2,400 troops involved in the Bosnian relief operation include giving them heavier



weapons, pulling them back into more secure parts of Bosnia, air cover against ground attack and sending in reinforcements.

However, defence ministry sources said that it was unclear what the political objective would be by reinforcing the troops. "If you have to reinforce them with heavier weapons and more troops, that surely has implications for the humanitarian mission," the sources said. In a radio interview, Lieutenant Colonel Bob Stewart, commander of the British battle group in Bosnia, said his troops were not part of

the war. They were there merely to help deliver aid. He said he would continue to try and arrange a ceasefire for the Christmas period.

Although Britain will support enforcement of the "no-fly" zone, RAF jets are not expected to participate. However, British officials said it was likely that logistical help would be given to the Americans. One British official said: "The Americans will have to play the leading part."

Lord Owen, co-chairman of the Geneva peace conference, ended a four-day trip to Bosnia in Sarajevo and an-

nounced that a framework had been set for demilitarising the besieged city. "There will no doubt be many upsets and many difficulties," Lord Owen admitted, standing next to Radovan Karadzic, the leader of the Bosnian Serbs.

Lord Owen is putting his faith in four committees formed to focus on specific problems which make life in Sarajevo a daily test of courage and patience for the 380,000 people trapped there. Each committee will include representatives from the Muslim, Serb and Croat communities and UN personnel.

As Lord Owen held talks with Dr Karadzic and General Ratko Mladic, commander of the Bosnian Serb forces outside Sarajevo, an RAF Hercules transport aircraft flew into the capital. It was the first flight into the Bosnian capital since the air bridge was suspended on December 1.

In Skopje, Macedonia, Douglas Hogg, minister of state at the Foreign Office, said the former Yugoslav republic would have a better chance of gaining broad international recognition after the new year.

The UN Security Council voted this month to send about 700 peacekeepers to Macedonia in an attempt to prevent the violence spreading into the republic. The peacekeepers

are to monitor Macedonia's borders in case violence erupts between minority Serbs and the restive ethnic Albanian majority in Serbia's southern Kosovo province, which also borders Macedonia. Diplo-

rats and many Yugoslavs fear that violence in Kosovo would spark conflict with Albania and spread to Macedonia, which is also home to a sizeable Albanian minority.

Mr Hogg said that he saw no legal obstacles to accepting Macedonia into the international community. Diplomats fear that if Yugoslavia's warfare spreads south to Macedonia it could spark a broad Balkan war. Mr Hogg insisted that Greece had no power to block or veto Macedonia's membership in the United Nations.

Unlike Slovenia, Croatia and Bosnia, Macedonia left the old Yugoslav federation without bloodshed. But its southern neighbour, Greece, a member of the Community, has blocked EC recognition, and Macedonia has remained in virtual diplomatic and economic isolation.

Greece is demanding that Macedonia change its name, which Athens claims was usurped from Alexander the Great's ancient Greek kingdom and implies territorial claims on Greece's northern province of the same name.

Muslims' winter exile destroys Israeli dreams of peace



Rabin: respected as soldier and politician

ISRAEL'S normally boisterous parliament is not easily cowed. But when Yitzhak Rabin rose to make his maiden speech as the newly elected prime minister five months ago, his Knesset colleagues were silenced for what was seen as a turning point in the country's 43-year history.

After decades of war and instability in the Middle East, Mr Rabin, Israel's most celebrated soldier and respected politician, told his countrymen that there were now all the factors needed for a peace agreement that would resolve the Palestinian problem and eliminate the threat to Israel's existence from its Arab neighbours. For many Israelis the speech evoked a peaceful coexistence with the Arabs of which they had only dreamt.

Less than six months after his return to power with public hopes high, Yitzhak Rabin's achievements lie in tatters, Richard Beeston writes



Mr Rabin, billed as a Middle Eastern Gorbachev or de Klerk, would lead the country into a new era where one day Israelis would be able to tour in safety the Nabataean ruins of Petra in Jordan and even browse in Damascus's legendary souk.

As they had shown by their overwhelming electoral support for the Labour party, Israelis saw the gravel-voiced hero of the Six-Day war as the only man capable of delivering a deal with the Arabs, while also safeguarding the country's security needs through the inevitably difficult negotiations ahead.

Even some Arabs, at first suspicious of Mr Rabin, 70, because of his reputation for toughness, were willing to give him the benefit of the doubt. Although he was remembered in the occupied West Bank and Gaza Strip as the defence minister who at the outbreak of the intifada five years ago

told his troops to crush the uprising by breaking the bones of the young demonstrators, this time he appeared to approach the Arabs with a caution bordering on sensitivity.

While predicting that he would achieve an initial agreement within 12 months at the peace talks in Washington, Mr Rabin also displayed a new flexibility in practice. To the dismay of right-wing opposition parties, he ordered hundreds of Palestinian political prisoners to be released early, and defused a potentially explosive confrontation between the army and Palestinian students in Nablus through compromise. A hunger strike by hundreds of Arab prisoners ended peacefully when the Israeli authorities

met their demands and improved conditions.

Israeli negotiators offered for the first time to trade land for peace with Syria in the captured Golan Heights and offered the Palestinians the opportunity to run much of their own daily affairs. Only this month his left-wing coalition presided over the first reading of a bill to lift the ban on contacts with the long outlawed Palestine Liberation Organisation.

All Mr Rabin's hard-won achievements lie in tatters today, however, with his government's decision to expel more than 400 Islamic militants from the occupied territories as a form of collective punishment against the Islamic fundamentalist group Hamas for the kidnapping

and killing of an Israeli paramilitary policeman.

Mr Rabin's decision was prompted by a public outcry over a spate of killings of Israeli soldiers by Hamas gunmen and by his own conviction as a former officer that the only way to protect the men under his command was to stamp out enemy opposition. However, the price in terms of his credibility as a statesman and his ability to deal with delicate matters of diplomacy will be heavy.

The present impasse between Israeli and Lebanese troops over the fate of the deportees has played straight into the hands of his adversaries who have all along been trying to torpedo the Middle East peace talks. Not only have future negotiations be-

tween Arabs and Israelis been suspended indefinitely by the Arab side, but the PLO also has withdrawn its support for the dialogue and begun talks with Hamas, the largest of the "rejectionist" groups.

Mr Rabin's defiance of world opinion, which condemned the expulsions as contrary to international law, could cost him the generally supportive attitude adopted by the West towards his government at a time when a new American administration is about to be sworn in. Whatever its immediate outcome, the crisis is bound to raise alarming questions about Mr Rabin's long-term ability to carry out his promises, live up to his role as the region's peacemaker and fulfil the dreams of his people.

Rabin pledges no mercy as Palestinians try to return

FROM BEN LYNFIELD IN JERUSALEM

YITZHAK Rabin, the Israeli prime minister, said yesterday that his government's deportation of 415 Muslim fundamentalists was irreversible, after Israeli-backed troops in Lebanon opened fire to rebuff an effort by them to return.

"Our position is fixed. We will not let them return," Mr Rabin told the Knesset. However, Shimon Peres, the foreign minister, did not throw his weight behind the expulsions. "I cannot change the past. I do not want to relate to this matter. I was outside the country when the decision was taken," Mr Peres said. He was on an official visit to Japan last week when the Israeli cabinet decided on the move.

Mr Rabin's speech came as judges from the Israeli supreme court deliberated for a second day over a petition by Avigdor Feldman, lawyer for the deportees, to order their return. Mr Feldman argued they had been "dumped in no man's land" rather than transferred to a sovereign state, and Israel remained legally responsible for their well-being.

"The conditions in the camp of those who were removed are not easy," Mr Rabin said. "It is cold there. But I must admit I have no mercy in my heart for them." The prime minister accused Lebanese authorities of prompting the deportees to march towards Israel's "security zone" border strip "to prove to the world and the court in Israel that these men of terror are defenceless".

Mr Rabin said that Israel's expulsion of the activists from the Hamas Islamic Resistance Movement and the Islamic Jihad organisation might one day be viewed by the world as a pioneering strike against dark forces in much the same

way as was its 1981 bombing of Iraq's nuclear reactor. "Islamic extremism is the serious danger facing the world in the years ahead."

Uri Dromi, a government spokesman, challenged reports from Lebanon that the Israeli-allied militia, the South Lebanon Army, had used heavy machineguns and mortar bombs to turn back the marchers. He said only teargas was used.

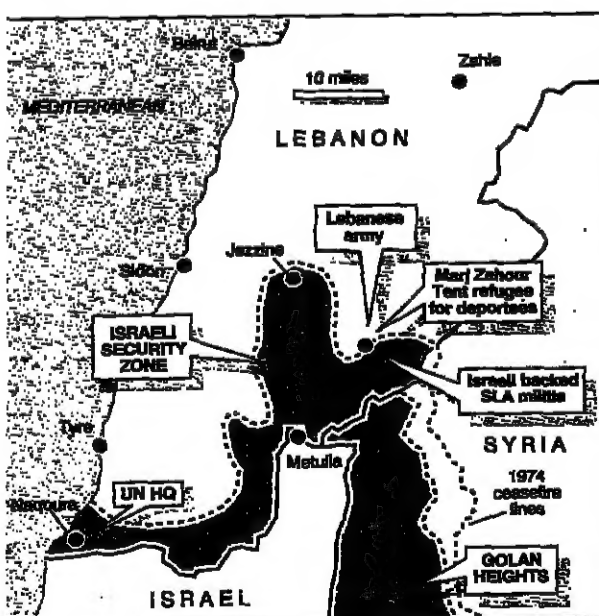
Major General Danny Yatom, West Bank commander, said earlier that the 415 deportees would be allowed back to the territories after two-year "removal" only if they "did not engage in terror activities" while away.

The right-wing Likud opposition party has tabled a no-confidence motion against the government's security "failures". Its leaders cautioned against following up the expulsions with concessions to the Palestine Liberation Organisation.

In the Gaza Strip, troops shot dead a ten-year-old, Ayman Ahar, in the Khan Yunis refugee camp, where there have been fierce clashes since the deportations. Army officials said they were checking the circumstances of the death, the second of a child in 48 hours in the Khan Yunis area.

While support within Israel for the deportations was still broad, Mr Rabin was also facing increasing criticism. The Peace Now movement announced that it was opening a public campaign to oppose the expulsions and it called for immediate recognition of the PLO.

No man's land firing, page 1
Leading article, page 13



Outside story: Bassem Siouri, 17, the youngest of the 415 deportees, telling yesterday of his freezing five-day ordeal at Marj az-Zahour

General expected de Klerk purge

FROM RAY KENNEDY IN JOHANNESBURG

A SOUTH African major general, who was among the army officers dismissed by President de Klerk at the weekend, said yesterday he had realised that there would be no place for him in a reformed government.

Major General Chris Thirion, aged 53, the deputy chief of staff, military intelligence, said: "I have known for a long time that my time was up, that there would not be a place for me in a new dispensation. I do not think I can be trusted by potential participants in a new government."

He said he would leave the South African Defence Force "by the front door. My signature appears on most documents on internal covert activities because these were delegated to me. I am satisfied that my actions were within our mandate and that they were confined to the collection of information."

The South African military and security establishment was still stunned yesterday after Mr de Klerk's announcement that 23 defence force officers, including two generals and four brigadiers, were ordered to be compulsorily retired or suspended from duty. His decision resulted from a continuing investigation into covert military activities aimed particularly at the African National Congress.

Mr de Klerk said the 23 had been exposed by Mr Justice Richard Goldstone, head of a

Delhi eases curbs on BJP

BY CHRISTOPHER THOMAS IN DELHI

THE Indian government announced yesterday a relaxation of orders controlling the activities of the Bharatiya Janata Party, the pro-Hindu organisation that played a key role in the destruction of the Ayodhya mosque on December 6. The move amounts to an acknowledgment that the attempted clampdown on Hindu militants has been a political disaster.

Shankarrao Chavan, the home minister, told the Rajya Sabha (upper house of parliament) that the Bharatiya Janata Party (BJP) would again be allowed to hold political meetings. The announcement came the day after Atal Behari Vajpayee, a senior party leader, began a hunger strike demanding full freedom to hold anti-government rallies. He abandoned the fast yesterday in triumph.

The government's climb-down has further bolstered the BJP, which is trying to force P. V. Narasimha Rao, the prime minister, into calling a general election. Attempts to curtail BJP activities have given it a big propaganda advantage over the governing Congress (I) party. By adopting a softer approach, the government hopes to regain the initiative. Mr Chavan said the BJP would be required to hold its meetings indoors and must not use religious slogans.

Senate poised to impeach Collor

FROM MAC MARGOLIS IN BRASILIA

THE Brazilian senate is expected to impeach Fernando Collor de Mello, the suspended president, today on the ground that he corruptly pocketed millions of pounds.

Senhor Collor has been on trial in the senate since late September, when the chamber of deputies voted to suspend him. If the senate upholds the charges, Senhor Collor will become the first Brazilian president in modern history to be impeached.

He has rejected the charges that he condoned and even profited from an influence-peddling and bribery scheme commanded by Paulo Cesar Farias, his former campaign treasurer. An air of suspense was added to the affair yesterday as Senhor Farias suddenly left the country in his Lear jet.



Collor: may opt for resignation

Mauricio Corruea, the justice minister, announced an investigation, fearing that Senhor Farias had fled from justice.

The suspended president, on half-pay and left with only a skeleton staff, has doggedly refused to stand down, although some political observers here say that he may yet resign at the last moment to preserve his political rights. If impeached, Senhor Collor would forfeit the right to run for political office for ten years.

The senate trial has only served to strengthen the damning report by congress in September, which voted overwhelmingly to suspend him from power. Senhor Collor stands accused of taking money and gifts from Senhor Farias, who has been charged with collecting at least £20 million in illegal commissions in exchange for government contracts.

To return to office, Senhor Collor must now garner at least one-third of the votes in the 81-member senate, which is even more hostile than the chamber of deputies. Analysts estimate that he may end up with only a handful of votes from lingering friends and cronies.

A survey of popular opinion published yesterday by the Brazilian Gallup polling organisation found that 87.1 per cent of respondents did not want Senhor Collor back in office while only 8 per cent said he should rule again.

NEWS IN BRIEF

US warns China on Hong Kong contracts

Hong Kong: America called on China yesterday to respect contracts in Hong Kong after taking over the British colony in 1997, adopting one of its clearest stands to date on one of the issues poisoning Sino-British relations.

Barbara Franklin, the US commerce secretary, in Hong Kong after a visit to China, told the American Chamber of Commerce that since US firms had been awarded contracts to build a new airport, Washington had interests in the colony it must monitor.

"Let me state clearly, if China is to truly shape a brighter future for all Chinese people, and if China is to indeed become a fully participating member of the world economic community, then the leaders of China must realise that contracts must be respected," she said.

Ms Franklin was referring to China's comment on November 30 that, after taking over Hong Kong in 1997, it would not respect contracts it had not vetted previously. The statement caused the stock market to fall. (AFP)

Islands rocked

Jakarta: An earthquake hit eastern Indonesia, the second in ten days, but initial reports said that there were no casualties. Australian seismologists measured the tremor, which shook buildings in Darwin, at 7.3 on the Richter scale, but the quake, centred near Banda, in the Molucca Islands, appeared to be too far out to sea and too deep to cause much damage. (Reuters)

Cabinet to go

Taipei: Hau Pei-sun, the prime minister of Taiwan, and his cabinet will resign after the ruling Nationalist's poor performance in parliamentary elections, said Shih Chi-ying, the deputy prime minister. The date had not yet been fixed. (Reuters)

Turkey accused

Strasbourg: The Council of Europe's committee for the prevention of torture issued a report accusing the Turkish police and security forces of widespread torture and political killings. The committee urged Ankara to stop the abuses. (Reuters)

Engineers flee

Gauhati: Twenty-one French oil experts have fled the north-eastern state of Assam since December 7 after a "quit India" notice from separatist rebels, a government official said. Only two engineers remain on the exploration project. (AP)

£170m fine

Tehran: A court has fined several people £170 million for trying to smuggle a hoard of antiques and other precious objects, some stolen from museums, out of Iran. One of the defendants was jailed for more than ten years. (Reuters)

Driven out

Phnom Penh: Light shelling continued over the weekend in western Cambodia, where artillery exchanges between Khmer Rouge guerrillas and government troops have driven 10,000 people from their homes. (AFP)

Locust plague

Ingeniero Jacobacci: Argentine ranchers and local governments have asked Buenos Aires for help in containing a 12-mile-wide plague of locusts that is eating its way across the south of the country, devouring vegetation needed to feed sheep, the area's economic base. (AFP)

Americans watch Mogadishu warlords roll their rockets out of town

BY OUR FOREIGN STAFF

SOMALIA'S two main warring factions began to move weapons out of Mogadishu yesterday, clearing the way for an end to two years of feudal violence that has left the capital in ruins, an American official said.

The State Department official said the evacuation was within the framework of an accord signed by both sides as part of a seven-point peace plan two days after the multinational troops landed on December 9, but that the implementation was sealed in recent days. The official, who asked not to be named, said that the evacuation covered only the feared

■ While the feared 'technical' are being cleared out of the Somali capital, the foreign forces face a far tougher task in the regions

"technicals", the civilian vehicles mounted with machineguns and rocket launchers that have devastated the city, that have devastated the city. American officials said Muhammad Farah Aidid had moved his technicals out of the southern part of the city yesterday and that his chief rival, Ali Mahdi Muhammad, would move his from the north today. "It's a Somali operation, aimed at bringing Mogadishu back to what it was before the civil war," one American official said. He said freelance bandits

or factions not aligned with General Aidid or Mr Ali Mahdi would be told via radio and newspaper announcements to get their technicals out of town fast. American-led coalition forces would play no direct role in the operation. But they had been told of the routes and times when the militia vehicles would move to locations just outside the city. "The one thing we want to avoid is a confrontation," the American official said. Earlier yesterday, French

troops wounded at least three gunmen when they came under attack in southern Mogadishu. "It is teeming with AK47s and teeming with technicals," said Mark Thomas, for the UN Children's Fund. "Any military presence at all would help as long as it is a show of force."

American troops, who secured Mogadishu port and airport at the start of Operation Restore Hope, have escorted food convoys across the bombed-out "green line" that divides the capital but do not operate patrols in the north. Relief agencies have withdrawn virtually all their foreign staff from the enclave because of the insecurity. Mr Thomas reported that the Irish aid agency, Goal,

had said it was considering suspending operations in the north. "Unicef supports what Goal said about insecurity. We cannot send more supervisory staff in until the situation improves," he said.

American marines and their coalition allies have established security bridgeheads for the relief operation in Baidoa. At a military airfield in Bali Dogle on Sunday, they swept ashore to do the same in the southern port of Kismayu. American commanders say, however, that their mission is not to disarm a country awash with weapons after two years of clan killing and gun rule. General Joseph Hoar, the overall commander, said last week that security would

improve as more troops arrived. The attack on the French observation post, northwest of Baidoa airfield, occurred a day after American and French troops seized six battlewagons and disarmed 45 heavily-armed gunmen outside Baidoa, 150 miles west of Mogadishu.

A marine patrol in Mogadishu also shot and hit a gunman in a technical who trained a machinegun on them near the green line on Sunday. It was not clear if the man was killed. "We're not in the investigation business," said Commander Jim Kudla, of the US Navy and an American spokesman. "The squad perceived a direct threat to them. They fired and that's it."

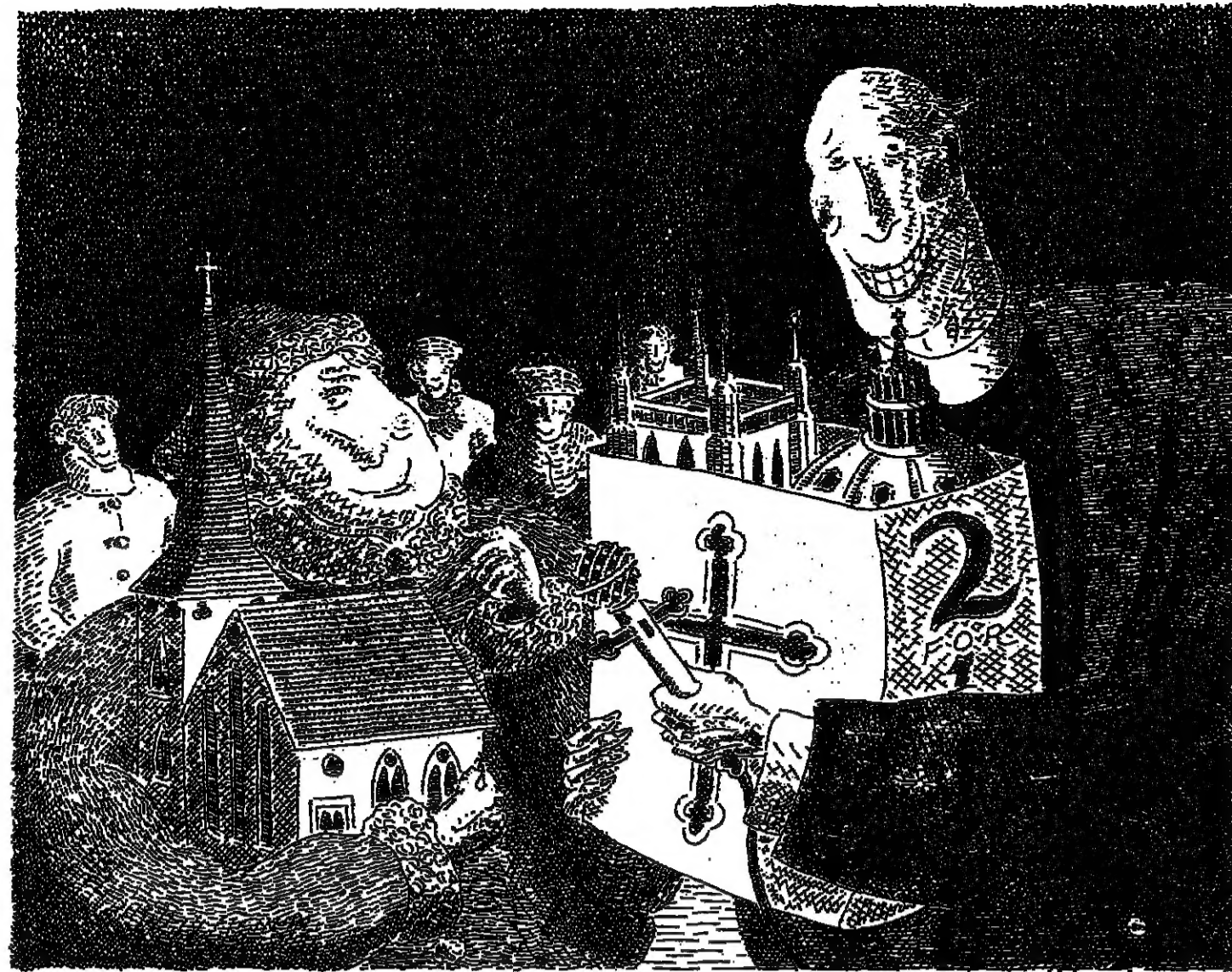
God gets the hard sell

Alice Thomson
reports on the new
'God slot', the
religious television
advertisement

Just imagine for a moment that it is Saturday, January 2. The last of the mince pies have been scraped off the carpet and the streamers have been disintegrated from the lightbulbs. You settle down to watch a little undemanding television, when your attention is caught by a new advertisement showing 15 seconds of the hungry, homeless and abused, accompanied by the rising crescendo of "Why, why, WHY?"

Perplexed, you turn to Channel 4, and sandwiched between the ads for coffee and cars, come across waterfalls, goats, flowers and mountains with the caption "Made By God". For Christianity is going for the hard sell, and these are just two of the pilot television advertisements being prepared.

Television advertisements for God, like those for strong drink,



NICK MALAND

'We're not allowed to say that our God washes whiter than another'

betting shops, unwrapped condoms and pregnancy-testing clinics used to be banned from the airwaves. Previous Broadcasting Acts included religious advertising because television was considered too persuasive and choice of religion was considered a private affair. But attitudes are changing. From the beginning of next year, religious groups will be allowed to buy advertising on ITV and Channel 4, under a new code of advertising published by the Independent Television Commission (ITC).

The Lichfield diocese (which covers 450 parishes across the Midlands) has made the first, and so far only Church of England move to take advantage of the new ruling. In January it will be running a campaign on Central TV to "put God back on the agenda".

In charge of operations is the Rev Robert Ellis, the diocesan communications officer. "For the church to ignore religious TV advertising is like Caxton ignoring printing and St Paul ignoring the boat," says Mr Ellis, who is already well-versed in media terminology.

The campaign has three aims. "Firstly, we wanted to keep the rumour of God alive and keep God on the world agenda. Secondly, we

wanted to change our image as middle-aged, middle class, pompous individuals. Thirdly, we are saying that should people join up they will receive a warm welcome," he says. "This Christmas every church worth their salt will have huge billboards outside their premises. This is just an extension."

Anglican congregations in Britain have slumped to 1.1 million and are still falling. But many pillars of the church have raised objections to broadcast advertising. Even posters such as "You're invited to a Bread and Wine party with Jesus" cause some to squirm.

The Lichfield diocese made the decision to advertise in July and was soon inundated with phone calls from advertising companies. Lichfield chose Cogent, an agency that had already done a successful poster campaign for the diocese.

"We specifically asked them not to choose eager-beaver Christians to work on the campaign because they might bring their own agenda," Mr Ellis says. The uncommitted, it was thought, might have a more flexible and imaginative approach.

Advertising God is not an easy task. The new code of Religious Advertising runs to more than 1,000 words and more than 30

regulations. Advertising must not be used to expound religious doctrine or directly exhort viewers to change their religious behaviour. Claims that a particular religion is the only or true faith are also unacceptable, as are advertisements that play on fear, or which target the under-18s.

The Lichfield campaign has run into a few problems. Images of poverty and despair with the Why, Why voice-over did not seem to contravene any regulations, but the ITC has recently told them that the flashing pictures could trigger fits in epileptics. So the new year campaign will be a surprise.

Lichfield diocese, Mr Ellis says, is wary of being accused of selling the coffee jar and not the coffee. "We are not trying to put bums on seats, we are trying to give God to anyone who wants him. It's all about what the advertising people might call product awareness. Religious advertising will be more like political advertising rather than like selling cornflakes."

He is worried about competition from "extreme right-wing fundamental sects", but he does not think that any group should be censored.

"The code makes it impossible for people to solicit for money and that was what we were worried about," he says.

But doesn't religious advertising serve Mammon better than God? At present, a series of ten, 20-second advertisements on Central West costs £7,770. "If it's for God, it's got to be the best, but I do see the need not to squander vast amounts of money when we should be thinking about Somalia. How much we need to spend is all part of this experiment."

The Lichfield diocese hopes that more of the Church of England's 44 dioceses and other Christian denominations could be persuaded to join together for a nationwide television campaign next Easter, paid for in part by commercial sponsorship. It has already thought up a hard-sell approach, using public figures such as the murdered Archbishop Romero, Terry Waite, Desmond Tutu and Mother Teresa with the line "to them Easter's much more than chocolate eggs".

But how effective can religious advertising be? Last year, the diocese of Oxford ran a radio and poster campaign, "Give Jesus a present: wrap up your kids and take them to church". According to their

communications officer, the Rev Richard Thomas, attendance went up by nearly 18 per cent.

But Mr Thomas has reservations about television advertising. "It is very, very expensive and transitory. I don't think it is worth the cost especially if it alienates our present members," he says. "Also it is effective in increasing brand share, not changing opinions, and we're not allowed to say our God washes any brighter than another."

The Methodist church does not agree with advertising. "The greatest danger facing the world isn't greed, vanity or ambition, but brainless mass-consumerism," says John Kenney of the division of social responsibility. "How do you advertise without appearing to be getting your snouts into the same trough as everybody else?"

Colin Semper, canon treasurer of Westminster, has been given the task of chairing the working party on the church and advertising. "Advertising is worth it," he says. "Two or three generations of children have grown up knowing nothing. Our job now must be to get the message across. But we must proceed slowly. If we campaign too hard, it might be seen as an act of desperation."

It is part of America's communications covenant: if you have the message and the money, the airwaves are yours. Religious broadcasters in America have always enjoyed opportunities for unrestricted, unrestrained evangelism, beginning in the 1920s. There are estimated to be between 40 and 50 million evangelical Christians in America today, and millions of them flock to the electronic altar, despite the recent sins and prison sentences of airmen apostles such as Jim Bakker and Jimmy Swaggart.

The demands made on the broadcast brethren in America are both great and varied. A one-minute advertising spot on television can sell for as much as \$3,000 a minute on a network affiliate. Programming costs are generally less expensive than advertising costs, with the higher rates granting access to larger urban populations.

For example, in the town of Santa Rosa, California, which has a population of 100,000, rates vary from \$400 to \$1,200 an hour, depending on the day and time. On average, 22 per cent of any religious programme is spent appealing for money, the same amount of time spent airing commercials on non-religious programmes.

Eighty-one of America's 1,100 commercial television stations are considered full-time religious stations, broadcasting religious programmes for more than 84 hours a week. And 1,156 radio stations, out of the country's 11,000, air more than 15 hours a week of religious programming. Churches can own cable stations, sponsor programmes and advertise on television and radio, provided they are not broadcasting anything obscene, indecent or fraudulent.

Yet religious broadcasting is not regulated in America. "We don't monitor shows unless we get a complaint," according to a spokesman from the Federal Communications Commission, the United States' broadcasting regulatory body.

Advertisements lasting 15 to 30 seconds can be categorized into four different groups. There are the "tune into my show on Sunday" type produced by the bigger evangelists; pitches for various

religious products; invitations to ponder spirituality in a general way; and invitations to attend specific churches.

Some evangelists tend not to solicit funds because they know the present climate of scepticism towards evangelicals would turn away many potential viewers. Increasingly, television ministers are selling religious products to get funds, rather than soliciting dollars. The idea is to give the viewer a premium by sending them a book or cassette, in addition to making them feel good about contributing to keep their favorite preacher in the pulpit.

On the more local level, pastors often appear on television to invite the viewer to think more about religion in a general sense. The message may be based in scripture and can be interpreted loosely or get quite specific according to which religious body created the advertising spot. Few attempts are made, however, to convert people from one faith to another, as most are quite simple in their approach.

Local ministers also tend to stick to the sincere approach when inviting viewers to attend their church services. The results of these advertisements varies greatly according to the charisma of the particular religious leaders but can be quite effective in attracting those without a spiritual "home".

In addition to those who are on a mission to earn more money, there are also those who broadcast religion because they see it as an effective way of spreading the message. Vision Interfaith Satellite Network was started up by 22 diverse denominations in 1988 as an alternative to what many saw as the greedy proselytising of previous evangelical programmes.

Involving a variety of faiths, from Roman Catholic and Jewish to Mennonites and the Salvation Army, VISION has a policy of "no on-air solicitation of funds and no proselytising". Each denomination pays the cost of their own productions, supplying them free to the networks. VISION filled a gap in the religious market, reaching seven million households via 381 cable systems within its first year.

RENÉ RILEY-ADAMS



Message from above: Bakker's demise affected religious TV.

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THE SUNDAY TIMES

Grounded by a flight offer

The burglars came to our house and went without much disruption. A plank through the double glazing, a detour to pick up our television set and video camera and they were off through the front door. "At least you've got insurance," our encouraging detective said.

Yes, we had a full-cover replacement policy, which permitted us to do some unexpected Christmas shopping, taking the sting out of being robbed. There was even a bonus, as we discovered when we were lured into an electrical goods store by posters shouting: "Buy Sony, Fly Free... Return flights worth millions. Available now!"

We bought a Sony video camera (£500) with extended warranty (£200) and asked whether a Sony Trinitron portable TV set with teletext facility would also qualify for the free flights offer. It would indeed, said the sales assistant, so we collected sales forms for the TV (£300) and warranty (£80).

This entitled both of us to apply for vouchers that could be exchanged for return tickets on specified British Airways scheduled flights to 33 European destinations. Our application forms were stamped with the store logo and the transaction was complete, the only slight flaw being that the shop had sold out of our TV model but would deliver when new stock arrived.

Would this affect our eligibility for the free tickets? We were told not to worry since we had paid before the closing date for purchases.

A few days later the TV arrived and we were able to send our application form, original receipts and guarantee cards three weeks before the deadline for voucher requests on December 28. Lyons had become our favoured destination for a week's holiday at the end of January.

In mid January, I received my Fly Free voucher but when none arrived for my companion I phoned the Sony Helpline to be told that the TV model she had bought was not

Don't let your free trip hopes soar too high when you buy electrical goods



eligible. Trinitron television sets, it was explained, may look identical on store shelves but they come in varieties distinguishable by their codes, and eligible models bore codes starting with KVA, KVM and KVK. We had a KVMU, so it was no go Lyons.

Within ten minutes, we were simmering at the shop counter, only to be relieved of our dudgeon by the original sales assistant, who admitted his mistake and promised that the store would confirm we had bought the TV with an assurance that it made us eligible.

Next we phoned the store's head office to seek help. On January 22, a letter from Sony said: "Your application has been reassessed and we have pleasure in advising you that we are prepared to send you your free flight travel voucher upon your supplying confirmation of the product model number."

We called the Sony Helpline to ask what kind of confirmation was needed. The receipt and guarantee card, said the woman at the other end. But you already have them, we said. In that case, she said, get the shop to write a confirmation of purchase on headed notepaper.

The sales assistant helped once more and the confirm-

ation was sent that afternoon. By this stage we had abandoned the idea of Lyons in January but began to nourish hopes of Barcelona before March 31, by when all flights had to be completed.

Another hazard had materialised: the new deadline for applications was January 28. Since, according to the rules of the offer, flights had to be booked by January 31 with a ticket voucher which could be sent out only after the application had been dealt with by Sony, it was not easy to see how the booking deadline could be met.

The Sony Helpline woman was reassuring. "I'm sure you will get your flight voucher, providing we receive the confirmation of your purchase." Several weeks later the original receipts, guarantee cards and warranty certificates were returned with neither flight voucher nor a word of explanation.

Having discovered a new solidarity through ordeal by non-existent ticket voucher, my companion and I decided to marry in June. Meanwhile, we wrote to Lord King of British Airways and his counterparts at Sony and the electrical-goods store to say we had kept our side of the

bargain and would not object to tickets in time for the honeymoon.

Nothing was ever heard from the store but Sony's customer information officer wrote to say that our application for a ticket voucher had not been received by January 28 so had again become ineligible. A call to Sony revealed that nobody could now be certain when our application had arrived.

"Are you saying that the Post Office took more than six days to get the application to you?" we asked. "Look at rule 11 on your entry form," was the reply. Rule 11 read: "Proof of posting will not be accepted as proof of receipt."

Sony signed off on an optimistic note. "May I please offer apologies for the obvious disappointment which has been caused but hope that you will nevertheless feel able to remain customers of Sony products for the future and hopefully will still be able to take part in future promotional activities."

Lord King was engaged on other business but BA's customer relations department sent a thoughtful letter to say that administration of the Fly Free offer had been entirely out of their hands but that they sympathised and had written to Sony on our behalf and hoped we would have a wonderful honeymoon.

Last week BA wrote again to say: "We'd like to make you feel good. How do you feel about our service?" Well, the answer is that BA made an effort to sort out our tangled little affair and came out of it rather better than the other participants.

But I have a suggestion. If airlines want to fill empty seats why don't they offer a free vacuum cleaner, TV set or washing machine to anyone who buys a ticket for an under-used route? Then, at least the happy customer would be guaranteed a flight instead of a journey that simply disappears into thin air.

RODDY FORSYTH
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I want doesn't always get

Good news: children soon forget even if Santa fails to deliver

How are children's Christmas lists composed? Toy manufacturers are understandably anxious to know whether their advertisements are having the desired effect, particularly since a toy that has never been advertised, the Thunderbirds Tracy Island by Matchbox, is this season's sell-out success.

So the British Toy and Hobby Manufacturers Association (BTHA) commissioned Dr Anne Sheppard, a psychologist at Leeds University, to produce a report on Television Toy Advertising and Children which should also be of interest to parents.

Her results were published this month, just as the National Toy Council brought out "a parent's [sic] guide" to "advertising and your child". It outlines exercises parents can do with children to help them to distinguish between reality and advertisers' hyperbole, but is sponsored by the leading toy manufacturer Hasbro.

The BTHA report is based on responses (via interview and questionnaire) from 108 children aged six to nine in the Leeds area, and 48 parents, between November 1991 and January 1992. Dr Sheppard puts the caveat that "from such a small pilot study it is hard to draw too many conclusions".

It shows that while six to seven-year-old girls cite television as their prime inspiration when it comes to asking for presents, eight to nine-year-old boys and girls and six to seven-year-old boys are more influenced by catalogues, what they see in shops and what their friends have, and girls of eight to nine by friends' influence coming after that of television.

The children received only about a third of the toys they requested — and two thirds of what they were given by

parents was not what they asked for. But — and here's the cheering news for parents — the children were more content and by January had long forgotten the things they had asked for but did not get.

Children aged six to seven wanted 70 per cent of their presents to be toys, but that dwindled to about 50 per cent by age eight to nine, even with computer games counted as "toys". Without them the percentage would be embarrassingly low for the toy industry.

The survey found that children start thinking seriously about Christmas presents from September, and that for many the "Christmas list" is the result of "ongoing negotiations" with parents.

Her parent questionnaires indicated that parents intended to spend more money on sons than on daughters. "It could be because there is a greater variety of toys marketed for boys, and they are more expensive because they are more technical. Or boys may be more demanding — work on behaviour problems with pre-schoolers shows that boys are much more demanding."

Dr Sheppard's results should reassure parents that children have short memories for shortfalls on their Christmas lists, and are prepared to listen to recessionary reason. But 60 per cent of six to seven-year-old girls and boys, 44 per cent of eight to nine-year-old boys and 31 per cent of eight to nine-year-old girls seriously expect some of gifts to come from Santa. "Will they be sympathetic to his difficulties in the recession?" Dr Sheppard wonders. "That could be something else to look into."

VICTORIA MCKEE

Work can be a pain in the neck. Aileen Ballantyne reports on adjustments to ease the ache for the deskbound

Getting to the seat of pain



Avoiding the stoop: petite Louise Hidalgo's unhealthy posture, left, can be corrected by using a seat wedge and a paper stand, right. She must also avoid sitting cross legged



Scrooge's hard-pressed clerk, Bob Cratchit, may have had to work long hours, but at least he appears to have been able to do it at a desk and chair that was unlikely to give him backache.

Some experts in the prevention of back pain suggest that a return to the Victorian form of working furniture — tall stools with a sloping seat and a high desk with a sloping top — might lessen the number of working days lost (67 million last year) through pain in the neck, shoulders or lower back.

According to a growing body of medical evidence, the office furniture we now use every day may well be a danger to health, particularly if, like most of us, the user is not "average" in size. Every day, the typical office desk and chair requires us to bend forward and hunch over our work — and all of that bending is being achieved at the expense of our spines.

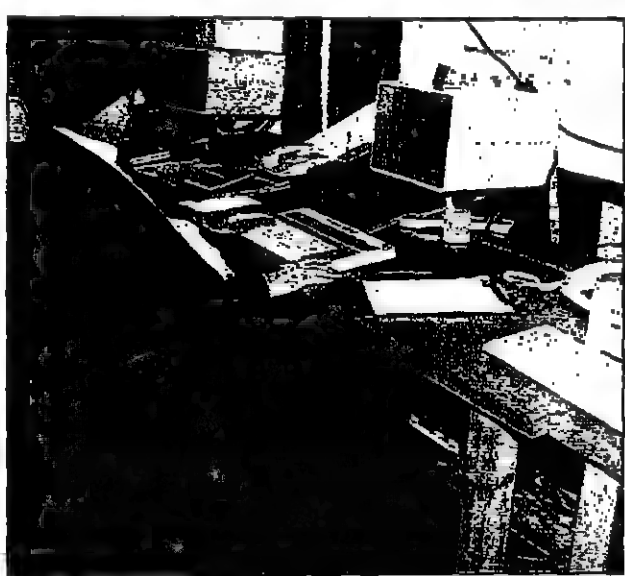
But there is an answer: forget personal exercise trainers, office massagers and lunch hour aerobic classes. Many back experts recommend that the luxury personal health item on every overworked executive's new year perk list should be a specially-tailored power chair and power desk, created to minimise the strain on shoulders, neck and lower back.

Back experts suggest that our poor record on back pain is due to our increasingly sedentary lifestyle: more and more people are doing jobs which involve sitting all day in one position. One poll by Mori, the market research organisation, showed that one in ten of us is likely to suffer from back pain for more than ten years; another survey, from the same source, shows that eight out of ten of us will, at some point, suffer back pain.

"This sort of damage is gradual," says Matthew Bennett, the assistant secretary of the British Chiropractic Association. "It comes from bad sitting habits which put more and more strain on your back over the years."

"Being an office worker who spends all day delicately tapping away at a computer keyboard could well be more dangerous for your back than, for example, being a drayman who regularly lifts heavy beer barrels skilfully and correctly and does a different type of activity in between times."

We decided to test the theory of dangerous office furniture for ourselves by selecting, at random, two Times journalists of very different height who sit at the same office furniture. Louise Hidalgo is 5ft 3in tall; Peter Bennett is 6ft 5in tall. What, we asked Mr Bennett, was their office equipment doing to their backs and their necks, and how could things



Tackling the slump: because of his height, Peter Bennett sits too low, left, but is helped by raising his keyboard

be improved simply? Before seeing Ms Hidalgo he predicted that, because she is petite, she would feel the strain on her neck and shoulders rather than in her lower back.

Someone who is slightly smaller than average often spends all day reaching up to a keyboard because it is too high for them. This puts continual strain on the neck and shoulder muscles and forces the person to hunch uncomfortably over their work.

Mr Bennett's prediction was correct. "I don't get any pain in my back, but I do get pains in my neck and shoulders,"

copy paper) to prevent her having to constantly strain her neck by looking at them on a flat surface. The result — with the aid of standard-issue chairs, which are adjustable up and down — was that her elbows were at 90 degrees to the desk and her knees at 90 degrees to the floor. Ms Hidalgo felt the improvement immediately.

Mr Bennett was satisfied, that, in this case, he had succeeded in getting her sit-

ing 100 per cent correctly with the aid of a few simple props. If her legs had still been left dangling above the ground when the top half of her body was correctly positioned — as many people's are — a few telephone directories or a wooden block would have solved the problem, in spite of the absence of a height-adjustable desk, which is the ideal.

Such desks are now available, as are chairs with their own in-built tilt-forward mechanism, although, as yet, it is mainly specialist backcare shops which stock such items. For tall people, sedentary work is likely to mean pain in the lower back, Mr Bennett

said. He was right again. Our tall subject, Peter Bennett, does indeed get an ache in his lower back when he sits for long hours doing his job.

The chiropractor achieved what he considered to be a 75 per cent improvement in seating position by raising Mr Bennett's keyboard on a block of copy paper and seating him on the forward-tilting wedge. Without these adjustments, his desk was far too low for him, making it impossible to get his

For many of us, the first seeds of a lifetime of bad sitting habits are sown in early childhood.

A study of more than 1,200 schoolchildren aged 11 to 17, carried out at the University of Pittsburgh, and published in the *American Journal of Epidemiology* earlier this year, showed that more than 30 per cent reported a history of low back pain. Of those, one in three were restricted in their activities by the pain, and one in four had sought treatment.

Mr Bennett argues that, in Britain, from the age of five onwards when we have to conform to school chairs and desks designed from some notional "average" child, our natural ability to sit the right way for our spines is constantly undermined.

In Dickens's time, the much-oppressed children in Tom Gradgrind's school in *Hard Times* were given their regulation desk and their regulation seat. In that sense, unlike Danish schools, for example, where adjustable desks and chairs are provided, we have made no progress. From our school days onwards, we just accept that we should expect our bodies to adjust to fit standard chairs and desks.

New technology makes it possible to sit at a desk all day in a way that was never possible a century ago. We can now do our research without moving, thanks to computer data systems. We can even, if we wish, send messages to our colleagues via the computer. There is never a need to move an inch.

Yet just as we are spending more time sitting, office chairs and desks are becoming even less well-suited to our needs.

As an example, chiropractors point to the typical forward tipping position a child adopts at school, with the chair precariously balanced on its two front legs as a youthful attempt to solve the problem and put the body back into its natural unstrained position. The open angle at the hip provided by this posture allows the back to function properly, yet this position is very difficult to achieve on the chairs we all sit on.

Far from being encouraged in this attempt to sit as nature intended us to, however, most teachers are likely to respond to chair tipping by telling a child to "sit properly".

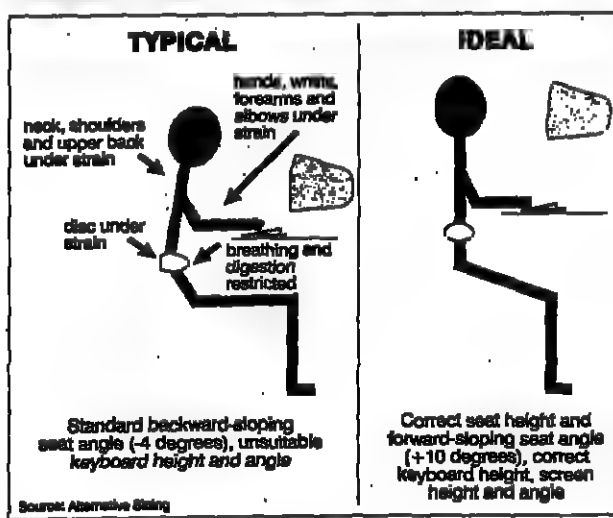
To obtain further information and names of registered chiropractors write, enclosing a large SAE, to: The British Chiropractic Association, 29 Whitely St, Reading, Berkshire, RG2 0EG. The National Back Pain Association is at, 31-33 Park Road, Teddington, Middlesex TW11 0AB (081-977 5474).

Technology makes it possible to sit at a desk all day... it was never possible a century ago

shared by some office furniture, is that they are on a five-star wheeled base, making it easy for the user to move around from, for example, reading to typing to answering the telephone.

"It's far better to wear out the ball bearings of your chair when you switch activities in this way than to wear out the ball bearings of your back," Mr Bennett says.

Some back specialists were impressed a few years ago by chairs which allowed us to adopt a semi-kneeling position. But most would now only recommend them for a small number of people, and would not advise sitting in such chairs all day. Experience of their use in Sweden has shown that some users can develop knee problems.



Furniture you use every day may be a danger to your health if you are not 'average'

Ms Hidalgo said. Like most women, she also sits at a desk with her legs crossed. Chiropractors point out that constantly adopting a cross-legged posture will put a strain on the pelvic joints and soft tissues and cause pain.

Ms Hidalgo was advised to put her feet flat on the floor, slightly apart. This is not something which comes naturally to most women, and the typical office "uniform" of heels and a straight skirt positively discourages it. But when she tried it, she found it much more comfortable. Mr Bennett also brought her a soft seating wedge which tipped her forward slightly, putting her spine back into its correct, stable position.

Her papers were placed on a makeshift support (a pack of

ting 100 per cent correctly with the aid of a few simple props. If her legs had still been left dangling above the ground when the top half of her body was correctly positioned — as many people's are — a few telephone directories or a wooden block would have solved the problem, in spite of the absence of a height-adjustable desk, which is the ideal.

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legs underneath it. This, in turn, forced him to sit with his head jutting out at an angle tailor-made to give him lower back pain.

Strange at first, was Mr Bennett's verdict, but a definite improvement once you got used to it. For more improvement still, Mr Bennett suggested raising the desk on blocks, or, better yet, an adjustable desk.

Both our subjects were advised to vary their activities as much as possible and also do a few simple stretching exercises regularly.

Paul Danford, a chiropractor in south-west London, points out that of all the

mixers to spirits has the same effect. Fatty foods reduce the rate of absorption.

Women sober up less quickly than men but regardless of the sex if an average person has an equivalent of a bottle of wine in their bloodstream when they go to bed at midnight there will still be alcohol in their blood the next day. If the drinker goes to bed with the equivalent of a bottle and a half in the blood stream they may be near or over the limit if they make an early start for the office.

Older people who are not regular drinkers notice that alcohol affects them more than it used to, and it may take them longer to sober up. The seasoned tank on the other hand who has continued to drink heavily, but who hasn't suffered liver damage will sober up as much as one third faster than those less practiced. If older people don't get a headache the next day they should pause before they congratulate themselves. It may merely be because they have started to develop cerebral atrophy, and there is room for their brain to swell without becoming constricted.

DR THOMAS STUTTFORD

Drink and be merry

WHETHER the midwinter solstice is called Samhain, Yuletide or Christmas, feasting has always been part of it — and with the feasting comes the alcohol. The message, now accepted by the overwhelming majority of doctors, that alcohol in moderate quantities is life-preserving as well as life-enhancing, could comfort the 90 per cent of the population who will drink alcohol during the next week.

Although the common belief is that a glass of wine, a half pint of beer and a tot of spirits all equal one unit — or 15mg per 100ml of blood — wines and beers vary enormously, with some almost twice as strong as others. The amount of alcohol needed to appear drunk varies by up to 25 per cent in people of the same sex. All but a few men show obvious signs of inebriation at 100mg per 100ml, just under a bottle of wine. Women need considerably less to reach this point. At 300mg per 100ml there is a danger of coma and even convulsions, and at 500mg death becomes a probability rather than a possibility.

It should be noted that at 80mg per 100ml, the driving limit, many hardened drinkers

could well kid even their grandmothers that they were sober.

Any attempt to drink to the limit is rightly discouraged, but evenings at this time of the year can be very long and half a bottle of wine taken at dinner between 8 and 9 will not be endangering the licence at midnight.

Alcohol is removed from the body at 15mg per hour — so roughly a glass of wine, half a pint of beer or a tot of spirits is dealt with hourly. The majority is detoxified by the liver, but 5 per cent is excreted unchanged in the urine and sweat. The rate of absorption of alcohol in women is partly determined by the state of their hormones. Women become inebriated more readily at the time of ovulation (mid-cycle) and just before menstruation.

The Pill, like pregnancy, interferes with the breakdown of alcohol in the liver, so Pill users

sober up less quickly than other women. Alcohol should not be taken to excess in pregnancy but one or two glasses of wine with the Christmas turkey will hurt neither the baby nor the mother. Cases of foetal alcohol syndrome, the pixie-faced deformity, are confined to children of the severe alcoholic.

Spirits are absorbed less quickly than wines, as when strong drink reaches the stomach its outlet, the pylorus, closes and the alcohol remains in the stomach, from which it is absorbed more slowly than from the small intestine. Weaker drinks sneak through into the small intestine where, as they are absorbed rapidly, they can have a more instantaneous effect. Champagne, although strong, is so bland that the stomach is deluded and allows the fizzy drink to pass rapidly into the intestine and hence the blood stream. Adding some

Cheer up, it's soon over

Christmas is coming, and while many people look forward to the conventional pleasures of the season, there are also many who dread it. It is popularly supposed that people prone to depression are likely to suffer a bad episode at Christmas. The statistics do not bear this out. In the West, there are two peaks for major depressive episodes: the largest in the spring, a lesser one in autumn. The pattern for suicide is similar. Nevertheless, Christmas is a bad time for many people who suffer from milder forms of depression, and it is interesting to examine the reasons for this, and make some suggestions about coping with it.

One of the constant features of depression is loss of self-esteem. In response to failure, bereavement, or other forms of loss, everyone suffers from some degree of depression. But most people have enough built-in sense of their own worth to see them through the ups and downs of ordinary life.

In contrast, those who are liable to the severer forms of depression have no such confidence. In response to adversity, or perhaps with no precipitating reason, such people feel hopeless, helpless, and self-reproachful. They cannot look forward to anything; and if they look backward, all they see is sin and failure. Suicidal thoughts are common.

Severe depression involves the whole person, body as well as mind; sleep, appetite, and weight are all affected. These are the people, we deem mentally ill, who urgently need treatment.

In between these extremes of normal and psychotic are a whole host of people who suffer from less severe depression in response to circumstances. These are the people who lack enough built-in self-esteem, and who are therefore dependent on outside sources for its maintenance. Diabetics who cannot manufacture their own insulin require injections of it. Depressives who have no inner source of self-esteem require repeated injections of reassurance, love, and success to maintain emotional stability.

For such people, Christmas can sometimes be a threat. Although convention pictures a loving family, exchange of presents, feasts, games and jollity as boosting morale, we all know that it isn't always like that. Christmas often means overcrowded houses, irritable or drunken adults and tearful children. Christmas may bring to the surface underlying tensions in families which are not usually manifest. We can all get along



ANTHONY STORR

with our relatives if we don't see too much of them. Charity demands that we care for those who are lonely and miserable because they have no family. But vulnerable people are just as likely to become depressed because of too much family.

Moreover, Christmas is a holiday. People who are liable to depression often find their own worth to see them through the ups and downs of ordinary life. Recognition by work-mates as well as the exercise of skill is good for morale. It may seem absurd that so brief a holiday as Christmas can precipitate depression, but I am sure that it can do so in people who are dependent upon work to maintain their self-esteem.

What should potential depressives do at Christmas to prevent the black cloud's descent? Jung said: "Good advice is often a doubtful remedy but generally not dangerous since it has so little effect." In spite of this, I offer one or two suggestions. First, don't be too self-sacrificing. Putting yourself entirely at the service of the family will reinforce the depressive feeling that you are worthless and hardly exist.

Get away from the crowd, and keep some of the day just for yourself. Second, if you have a hobby like carpentry, gardening, fishing, or cooking, take care that you create opportunities to exercise your skill. Depression makes people feel helpless as well as hopeless; and anything which can counteract this feeling is valuable.

Third, take some exercise, even if this is no more than going for a brisk walk. Vigorous action is an antidote to depression, perhaps because it alters brain chemistry. In addition, exposure to light helps those who become depressed only during the dark winter months. Fourth, remember that Christmas, although recurrent, doesn't last for ever. If you take a few precautions, you may even enjoy it.

"WHAT," WE ASKED A NUMBER OF DISTINGUISHED INDIVIDUALS, "ARE YOUR FIRST MEMORIES OF BOOK TOKENS?"

HERE ARE SOME OF THEIR ANSWERS.

"It just seemed to me magic, as a child, that what was virtually a birthday card could buy a book. As an invention they have produced more happiness than most things in the 20th century." JILL COOPER

"I'd find myself wondering what book I'd buy with it, looking forward to a trip to the bookshop from which, magically, I would return with a book which hadn't cost me a penny." TERENCE BLACKER

"I vividly remember trying to spend my first Book Token. I finally purchased a completely unsuitable book of adult short stories which I devoured with shock and horror." MARGARET DRABBLE

MEMORIES THAT LAST FOREVER. Not Bad FOR A CHRISTMAS PRESENT.



Book Tokens can be bought at more than 3,000 bookshops. What other gift has such power to broaden the horizons?



Lynne Truss

Why am I an unreliable witness just because I don't know where I was when Thatcher went?

At last week's British Psychological Society conference, the subject of "flashbulb memory" came up. Evidently new research has shown that while the average person claims to have "flashbulb memories" linking his own personal experience to great public events (the day war broke out and so on) by and large he is actually unreliable. Because, ask him what he was doing when he heard Mrs Thatcher had resigned, and he doesn't know. How dreadful. "Thatcher, you say?" he repeats and then changes the subject to John Lennon, where he is on safer ground. Is he a fool, a liar, or a self-deluder, this average person? Possibly all three. It is a sad day for all of us. After all, had we known how important it would prove later, we might have made notes, and shot a couple of Polaroids. "Old it flash bang wallop," as Tommy Steele used to say.

Just to clarify things, a flashbulb memory goes something like this. "That's right. I was about to worm the cat, and the radio was on and I remember thinking I really must empty the bin, and then I heard on the news that Mrs Thatcher had resigned, and for some reason I stood bolt upright and quoted 'The wind moaned in the like that the night father died' from *Three Sisters*."

Cast aside, then, all intrusive thoughts of memorable flashbulb scenes from the movies — however high those great moments from *Sunset Boulevard* and *King Kong* and *Half a Sixpence* leap for attention. Flash! Flash! William Holden greys suspended Flash! in the swimming pool, and the reporters above with their curious muffled noises and their sudden Flash! explosions of light. Stop it. Memories of flashbulbs are worthless in this context. Saving the possibility that you can remember precisely what you were doing the first time you watched these movies, the only connection is that you stick it in yer family, stick it in yer family album.

Being a naturally rather touchy person, I am offended by the notion that just because I can't remember my exact location when the Thatcher news broke I am therefore unreliable as a courtroom witness. "Milud, my client wishes it to be known that she does, on the other hand, remember what she was doing when she heard about Marc Bolan's car crash, if that's any use." My own theory of the selective flash is that any terrible news you first hear on the morning radio (death of John Lennon, for example) is a candidate for the Magi, while something seen later, on the TV, is not. And that much more vivid than either is the street-runner effect, when someone delivers the news in person, amid a great pantomime abracadabra of light and smoke. "There's a bomb in John Lewis," someone breathlessly informed me last week. "Blown the place to smithereens." And even though this information turned out to be slightly exaggerated, it certainly went flash bang wallop, believe me.

It might at first appear irrelevant, but I keep thinking of the middle-aged Scottish couple who appeared in the BBC2 series *Signs of the Times*, lamenting and reviling their own taste in interior design. "That table has never looked right," they said, glumly. "We thought those cushions might help, but they didn't. No, they made it worse." The bane of their lives was the carpet, which for some reason they felt powerless to remove. It was patterned and garish and they loathed it, but since it refused to wear out, they considered themselves stuck, for ever.

Now, did they remember buying this carpet? Indeed they did — so vividly that they even had a flashbulb memory. "We had just finished laying it," they said, in all seriousness. "And we looked at the television and John F. Kennedy had been assassinated." What a picture. What a photograph. These poor people, enslaved for nearly 30 years to a few square yards of rubber-backed wool. And to top it all, they emerge as unreliable witnesses under the flashbulb memory test. Ask them if they remember the day Kennedy died, you see, and they merely act peculiar. "Will no one free us of this turbulent carpet?" they shout, and pull their hair. Not the sort of response, unfortunately, that recommends you to the court.

The legendary impartiality of Britain's civil servants is being eroded, writes Anthony Howard

Is Whitehall turning Tory?

One thing that no civil servant, however eminent, can afford to forget is that his duty is owed to the state, not to the government that happens to be in office, still less to any particular member of it. In Britain a certain reserve has traditionally characterised the attitude of bureaucrats towards politicians. Their relationship with their political masters may be polite and cordial but it is rarely intimate or close. Thrown together in the work of a department, each side recognises that it possesses separate and distinct functions.

If the ministers formulate the policy, it is the mandarins who have to make it work. Until recently, their protection against being in any way partisan awareness that, come an election, they could well find themselves promoting entirely different policy objectives. The long Tory hegemony has, however, changed all that.

This is why some people consider the permanent secretary to the Treasury's written offer to meet a proportion of the Chancellor's legal expenses incurred in evicting an embarrassing tenant from his private home to be full of constitutional

message. We do not yet know — and perhaps never will — the precise nature of any conversation that preceded the offer, but that an official minute proposing a helpful hand-out from public funds could have landed cold on the Chancellor's desk simply beggars belief.

For the entire incident to make any sense, there must surely have been some preliminary conversation between Norman Lamont and Sir Peter Middleton. Even if it simply consisted of grumbles on one side and sympathetic noises on the other, some believe it should never have taken place and must be regarded as wholly improper.

Lord Callaghan, never a man to mince his words, has branded the consequences that flowed from it as "absolutely disgraceful". More ominously, he specifically denounced the tendency of ministers to regard the civil service as "part of their private fiefdom". That may be pitching things a bit strong but, to judge from the public and private

reactions, the former prime minister had plainly succeeded in touching a raw nerve. Nor should that necessarily be an occasion for surprise. One clear, and perhaps neglected, danger of having one party in power in seeming perpetuity is the threat it necessarily poses to the objective, independent reputation of the civil service.

No administrative grade civil servant under the age of 35 has served anything but a Conservative government, even more revealingly, there is today not a single permanent secretary in Whitehall who was not appointed by either Margaret Thatcher or John Major. In an ideal world that might have prompted the civil service to be even more vigilant than usual about maintaining its tradition of political detachment — but, alas, the real world does not work like that.

Lady Thatcher, in particular, always made it clear that the path to preferment lay through being "one of us". Those in whom she failed to detect such

an instinctive sympathy seldom prospered. Her first scold, indeed, was that of the permanent head of the home civil service, Lord Balcroft, whom she summarily removed within two years of coming to office. Add to that the adventurous, leap-frogging nature of many of her appointments (including that of Sir Peter Middleton himself, appointed permanent secretary of the Treasury at the age of 49) and it is not surprising that the message soon got across.

In his underrated volume of memoirs, *Balance of Power*, Jim Prior relates one story that tells it all. On the then prime minister's very first visit to the Department of Employment one official had the temerity to stand up to her, interrupting one of her tirades with the pointed enquiry: "Prime minister, do you really want to know the facts?" That deputy secretary, according to Lord Prior, never got promoted and finally felt compelled to leave the civil service. (To his

credit, he went on to become a director of one of the country's most successful public companies.)

Of course, all long-serving prime ministers play some part in creating a civil service in their own image, and Lady Thatcher was certainly not the first to take an energetic interest in the appointment of permanent secretaries. Lord Wilson did the same if, characteristically, in a much more cautious, conventional way. But there are other developments that have also seemed to undermine the traditional non-partisan nature of Britain's race of administrative brasserie. One is certainly reflected in the government's policy of hiving-off power from Whitehall and placing it instead in the hands of specialist agencies. Frequently created in the pursuit of some legislative purpose, such bodies are rarely able to display the same detachment from the political battle that the Whitehall civil service has traditionally prided itself upon. The success of Lord Young in this

area needs to be regarded, according to the purists, as something of a cautionary tale. It remains, however, Lord Callaghan's view that the edges of impartiality have now been so effectively chipped away even within Whitehall itself that the time has come to establish a commission on ethics in government with the task of re-defining the relationship between civil servants and ministers. As a constitutional initiative, coming from an ex-prime minister, it certainly has the ring of disinterested statesmanship but it is still possible to wonder what exactly it would be expected to achieve.

The truth is that the way government is conducted in Britain has always been a matter of custom and usage rather than of statute and prescription. It depends ultimately on mandarins and ministers recognising their own separate spheres and rigorously keeping to them. That may involve a certain distance between the two — and if Sir Peter Middleton and his successor, Sir Terry Burns, erred, it was because (no doubt from the friendliest of motives) they crossed a dangerous demarcation line.

Alan Ryan asks if Bill Clinton can cure his country's sick health system

The American health care system is so extraordinary that one's first reaction to most of the statistics is disbelief. The country spends 13 per cent of gross national product on health care; Britain spends about half that, and Canada, the next biggest spender, about two thirds. Britain and Canada provide universal coverage, but in America 37 million people — 15 per cent of the population — are covered neither by government schemes for the poor and the elderly, nor by private insurance.

Most of the non-poor, and non-elderly are covered by schemes run by their employers. "Benefits" have for years been as important as wages in labour bargaining, and today cause as many disputes. The attraction of paying in benefits is simple: companies deduct health costs as expenses of doing business, and their employees pay no tax on the value of the benefits they receive. But it has got out of hand; the chairman of the Ford motor company told the president-elect's Little Rock economic summit that his company spends more money on health care than on steel. Many firms reckon health care adds 20 per cent to their wage bill, and many others are desperately trying to take away the benefits they gave when health care cost a mere 5 per cent of GNP.

Health care is not only absurdly expensive, it is maldistributed in every way possible. In the nicer parts of urban and suburban America, there is a great lack of facilities. Black infant and maternal mortality figures are like those of a Third World country. An African-American born in Harlem today has a lower life expectancy than a baby born in Bangladesh. The countryside is bad for your health too. The rural population is more accident-prone, suffers more chronic illness, has a lower life expectancy, and a higher rate of infant mortality than town dwellers.



American medical pioneers, 1875: a century later ever more sophisticated treatment is too expensive for millions

The worst situation arises when doctors themselves invest in facilities to which they send their patients — a practice some states outlaw, and other states have discovered doubles the rate at which patients are sent for expensive tests.

Outside the nicer parts of urban and suburban America there is a great lack of facilities. Black infant and maternal mortality figures are like those of a Third World country. An African-American born in Harlem today has a lower life expectancy than a baby born in Bangladesh. The countryside is bad for your health too. The rural population is more accident-prone, suffers more chronic illness, has a lower life expectancy, and a higher rate of infant mortality than town dwellers.

Since medical practice is an individual matter — once qualified, you find an office or join a hospital, and operate on a solo basis — most doctors work in the places where people like themselves live.

More surprising is that they earn most in the places where there is least need of their services; but it seems that doctors have an idea of what a suitable income is and set their fees accordingly. Insurers pay "reasonable and customary" fees, which means in essence whatever doctors decide, and the salaries of doctors have recently risen as fast as their numbers.

The puzzling thing is that little is done about it. Everyone

knows that the country spends twice as much on health as on defence, that the budget deficit could be cut in half if Congress got a grip on health care spending, that Americans do not get good value for their health-care dollar. Employers and employees alike are fed up with a system that reduces the mobility of labour because workers are scared to lose the health insurance that comes with their jobs. It is also a deterrent to the entrepreneur, since newly started firms cannot afford to pay for their workers' health care.

Nor are the doctors happy. They feel persecuted by the insurers' efforts to keep costs under control. Patients with insurance have no reason to care what it costs, and those

without are lucky to get more than perfunctory treatment.

Cost control falls on the insurance companies, which make doctors fill out elaborate details of the procedures they have advised, reviewing their advice, and making patients seek second opinions. This involves floods of paper. It drives patients to distraction and adds enormously to the costs of administration for the doctors and the insurers.

Some insurance companies make money. Too many do it by "cherry-picking". They offer cover to young, healthy people, and not to the elderly or the ill; they reduce the coverage they offer when you fall ill and need the money, refuse to cover long-term diseases like AIDS, and operate in a fashion that is

commercially rational and ethically obnoxious. In the process, they threaten non-profit insurance organisations like Blue Cross and Blue Shield, which operate under charters that require them to insure everyone and to maintain their coverage no matter what.

Faced with a system that is beloved neither by patients nor doctors nor insurers nor the government, the new Congress and president have a chance to reform it. The question is how. "Socialised medicine" on the pattern of the National Health Service is out: Americans are much too attached to "fee for service" medicine. Doctors and insurers have also run a terrific disinformation campaign on the supposed failings of the Canadian system, which 80 per cent of Americans say they prefer to their own.

The favoured system is "managed competition", under which employers and the government guarantee health insurance for everyone, while the insurance companies will implement procedures to drive down costs by making the providers of medical care compete for the patients sent to them by the insurers. The political crunch will come when those procedures are spelled out.

Will the states and federal government set a global budget which the insurers have to live within? If so, will American doctors put up with such constraints? Will the insurance companies, who spent enormous amounts of money during the last election try to fend off this much political control? The American political system is a wonderful device for frustrating the electorate by allowing well-organised pressure groups to dictate the details of legislation, and an alliance of the insurers and the medical profession will be hard to beat.

Yet nobody has convincingly shown how "managed competition" can reduce, or even control costs, without a politically decided global budget. To square that circle, President-elect Clinton will have to combine a "policy-work" passion for detail with Harry Truman's ability to hold Congress's feet to the fire of public indignation. He has no choice, however: the economy will get sicker by the minute until Congress, pressure groups and public take their medicine and sort the system out.

The author is Professor of Politics at Princeton University.

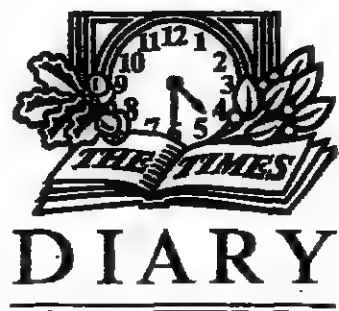
Saintly questions

IN SPITE of his successes at Edinburgh, John Major will still be hoping for something of a miracle to ensure ratification of the Maastricht treaty in the new year. He is not the only one. The Vatican faces the tricky question of whether it should beatify Robert Schuman, the French politician and architect of European unity, a step which would make him the first politician this century to embark on the long path that leads to sainthood.

Schuman, whose life's ambition was the creation of a European federation, was first proposed to

Rome's Congregation for the Causes of Saints in 1988 and the Pope has been in deliberation, it seems, ever since. The mysterious body, housed within the Holy city, remains charmingly silent on the matter of whether politicians should be permitted to join the august ranks of the saints and would not comment on Schuman yesterday except to say: "There must be proof of a miracle granted by God through the intercession of the person concerned."

The Pope, however, has made it clear that he would be "interested"



in a celebration of beatification for the former president of the European Parliament as early as 1994.

Schuman, who died 29 years ago, was first proposed as a saint with the backing of the Bishop of Metz and no less a politician than Helmut Kohl himself. But the question of miracle-making remains a moot point.

Contemporaries, including Konrad Adenauer, certainly deemed him worthy of sainthood. The philosopher and theologian, Romano Guardini, judged Schuman to be "one of the holiest men in our world". Indeed, asked why, as France's foreign minister, Schuman held his dream of European unity, he replied: "Because I believe in the Christian foundations of Europe."

Hot on his heels to sainthood are

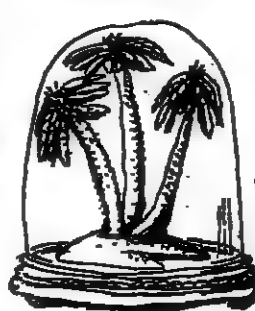
Alcide de Gasperi, who achieved a near miracle by establishing the Italian republic in 1945, and Aldo Moro, the former Christian Democrat premier murdered by the Red Brigade in 1978 — who is seen as a martyr.

But the idea of modern politicians being given saintly status, even in its initial form, is not acceptable to all. Enoch Powell yesterday dismissed the concept, saying: "I would be reluctant to beatify politicians. What they do is not beatifiable."

Stephen Hawking, author of the best-selling book *A Brief History of Time*, clearly still has a few problems with the concept himself. Hawking, Sue Lawley's Christmas day guest on the extended version of *Desert Island Discs*, turned up at the studio 45 minutes late.

Hamper freeze

THE Lord giveth and the Lord taketh away. The same is true it seems of Harrods. First what the Knightsbridge store taketh away — about 850 of Harrods' long-service pensioners who have received a Christmas hamper every year for the past 25 years will go without this Christmas as the recession takes its toll. One pensioner, who refused to be



named, says: "I worked for Harrods for 17 years and I've been a pensioner for ten. This is the first year I haven't had a hamper. I normally get a bottle of sherry, a Christmas pudding, a tin of turkey, things like that."

Michael Cole, media director for Harrods, replies: "Harrods staff are currently experiencing a pay freeze. The hampers are a privilege not a right and we will review the situation next year. Santa has had to tighten his belt a little this year." But Harrods giveth, too. In the

Hot, hot, getting hotter

FED UP with watching colleagues swoon off to exotic locations, the BBC's *Antiques Roadshow* team leapt at an invitation from the Jamaican tourist board to do a show in the Caribbean.

It would fill a gap in February's schedule between programmes from Warwick and Macclesfield. There was only one problem. The Jamaicans had never seen the *Antiques Roadshow*. Helped by good deal of publicity, some 4,000 islanders thronged the open-air courtyard of Devon House. Many steel forks and enamel saucers in the belief that the *Roadshow* experts were buying items, rather than valuing. But the team did find enough to excite them, including a Cartier clock and an 18th-century metal helmet dug up on a beach. Such discoveries excited the islanders, too. Since the team left, Jamaica has held its first antiques fair, Lewis says.

hope of bringing a little Christmas cheer to the people of Sarajevo, Mohamad Al-Fayed, Harrods' chairman, has just dispatched a Santa outfit for Larry Hollingworth, the logistics officer with the United Nations High Commission for Refugees, along with sweets and toys for the Bosnian children.

Hollingworth, whose white beard could make him Santa's brother, will distribute the gifts with, with unfortunate timing, include 100 whistling toy helicopters.

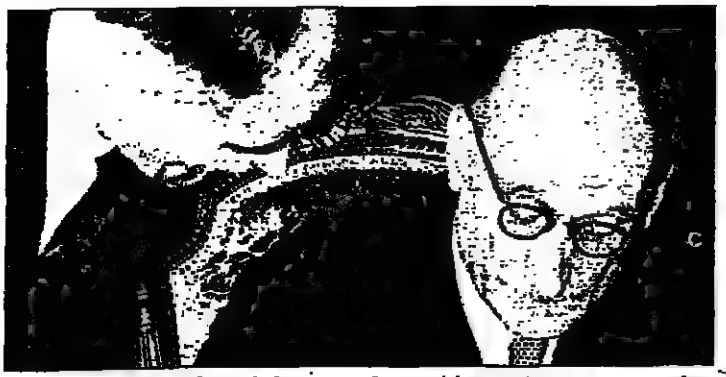
Comparing notes

AS THE Prince and Princess of Wales make final their arrangements for separation, legal circles are abuzz with speculation over how the princess came to choose Paul Bunter as her lawyer.

According to Andrew Morton, the author of *Diana, Her True Story*, the princess was offered a shortlist of five legal brains — but this does little to explain why, or indeed how, the little-known Bunter, of Grays Inn firm Wright Son & Pepper, was finally picked.

But there is a possible explanation. The Duchess of York in her separation was represented by Charles Doughty of the exclusive matrimonial law firm, Withers. In the past Doughty has been known to pass work, particularly legal aid work, on to Bunter. While legal aid is clearly out of the question, could it be that the royal sisters-in-law have been comparing notes?

Still stuck for an idea of what to give the golfer who has everything? At North Carolina's Talamore at Pinehurst course, the smartest way of getting your clubs around is to use one of the three resident lla-mas. At \$100 a round they are not cheap, but boy will they look impressive lining up that final putt.



Heaven sent? Robert Schuman, the architect of European unity



MUSLIMS AWAKE

Who isn't going to Sarajevo this year?

A Christmas visit by John Major to the British troops in Bosnia would come as no surprise; such a meeting makes political sense and would be a decent Christian gesture. It should, however, provoke some thought about other leaders, notably those from Islamic states, who have not been seen anywhere near the Balkan war zone.

Islamic states are in confusion, unable to act as an *umma* or concerted Muslim nation. The war in Bosnia is highlighting the powerlessness of Islam to respond to a conflict that threatens a whole Muslim community. So, despite strident calls for arms shipments to be sent to the Bosnian Muslims, despite the appeals for a *jihad*, no Arab leader ventures close to Sarajevo.

The Bosnian crisis directly affects two million European Muslims. If it spreads to Kosovo and Macedonia, if it drags in Bulgaria, Albania and even Turkey, then tens of millions of Muslims will be at war against a Serbian army that draws on the imagery of the Orthodox church.

Mosques and minarets are already targets in the Bosnian war; far worse can be expected. Yet the Islamic Conference Organisation has generated few ideas towards resolving the conflict. Supplying guns to the Bosnians — as the Islamic states threaten to do from January 15 — is unlikely to change the tide of war unless it is part of a more comprehensive strategy. The Islamic volunteer brigade in Bosnia is a tiny ragamuffin group of Afghan veterans of no significance.

Money is flowing to house Muslim refugees, but few have been offered homes in Islamic states. The impotence of Islam is also evident outside the Balkans. When 20,000 Indian Hindus ransacked the mosque of Ayodhya, there was a lukewarm response, even from Iran, which merely appealed to the Indian government to make "wise and calculated decisions". The famine in Somalia should have pressed Islamic states into urgent action. The country is,

after all, a member of both the Arab League and the Islamic Conference Organisation.

The inability of the Muslim governments to develop multilateral solutions to the problems that affect Muslim communities plays into the hands of fundamentalists. The coincidence of three crises, Bosnia, Somalia and India — and the slow progress on the future of the Palestinians, is breeding new generations of fundamentalist militants.

Every day, small humiliations add to the anger that is currently directed not so much against the Christian West as against those moderate Arab governments that raise barely a squeak when their fellow believers are ill treated. The competition for influence in the Asian republics of the former Soviet Union is typical of the exhausting, self-defeating nature of Islamic policy abroad.

There is also a division between Sunni and Shiite spheres of influence in central Asia. In Bosnia, Turkey is playing a useful role in trying to keep Islamic pressure within the confines of the overall UN peacekeeping strategy. But Iran is straining at the leash. Its ambitious arms procurement programme seems to be enhancing its status as a regional power and it is eager to test its influence. Certainly, it will be the first of the Islamic states to ship guns to Sarajevo if the January 15th deadline is ignored.

Those Serbs who already claim that they are fighting a religious war will promptly declare a propaganda victory. The time has come then to try to draw the Islamic states more closely into global decision-making, to make more demands of them. They should help pay for the Balkan refugees who are putting so much strain on Germany, Austria and Croatia. They should be encouraged to treat the Somali famine as a matter of the most urgent concern for the Islamic world. And it would do no harm at all if a Saudi prince, following in the steps of Christian leaders, were seen in Bosnia with a convoy of food aid.

COAL SCUTTLE

The proposed pit closures were illegal as well as inept

The High Court yesterday inflicted an embarrassing defeat on the government over pit closures as Tory backbenchers did last October. In deciding to close 31 mines, British Coal and the government "unlawfully and irrationally" ignored the rights of mineworkers and their unions to be consulted, said Lord Justice Glidwell in outlawing the closures. To the charge of political incompetence, which necessitated a dim-brown two months ago, can now be added the charge of administrative incompetence.

How can the government and British Coal between them have got matters so badly wrong? British Coal has been closing pits for years, and ought to know backwards the provisions of the Employment Protection Act and the colliery review procedures. Michael Heseltine, president of the Board of Trade, should have ensured before he made the announcement of pit closures that all was in order legally. It is not even known whether he sought help from law officers on the matter. In an extraordinary illustration of Whitehall's continuing obsession with secrecy, the attorney-general's office refuses to disclose not only his advice to ministers but even whether he has given advice at all.

It is not the job of Mr Heseltine to be familiar with employment legislation himself. But it is his job to anticipate potential pitfalls. Mr Heseltine's officials, who have

longer experience of energy than he has, should have been alert to the possibility that the law was being broken. It is not seemly for governments that make the law to be seen to be breaking it, particularly so cavalierly.

Mr Heseltine is already trying to shift responsibility to British Coal for this fiasco. Accountability is always hard to apportion between a nationalised industry and its sponsoring ministry. But in this case the decision to close the pits was clearly taken jointly; if anything, the energy department and its successor, the trade and industry department, were keener than British Coal to shut down the mines.

Responsibility must therefore be shared. The question is how it will be shouldered. If it was the fault of a minister, it illustrates a disregard for legal procedures born of complacency. If the minister was badly advised, then the official concerned was guilty of serious incompetence. Either way, Mr Heseltine's reputation has been badly dented. Until last October, his political judgment was thought to be acute. He allowed himself to become out of touch and was humiliated by his backbenchers. Now his managerial competence is in question too. Anyone who thought two years ago that he might be suitable prime ministerial material must now be relieved that he is not now in Downing Street.

CHRISTMAS TRAVEL

Christmas Past: a series on the unchanging face of the season.
Three: From The Times of December 21, 1944

The news that a blizzard has been sweeping the Atlantic coast of America, that in West Virginia a two-coach passenger train was lost in snowdrifts forty-five miles east of Charleston, and that the relief expedition was itself stranded ten miles short of its objective, may do something to console those who this year may find themselves unable to make their customary Christmas journey to relations or friends. A member of the Brains Trust recently attributed the popularity of the "Jack and Jill went up the hill" nursery rhyme to the pleasure children, as well as grown-ups, take in the disasters that happen to other people and mentioned that the real charm of the verses lay in the lines which describe the unfortunate pair's tumble down to the bottom just when the success of their water-carrying expedition seemed assured.

It is not necessary to take so poor a view of human nature to admit that the plight of benighted travellers does send a reprehensible, but unmistakable, glow through the veins of those forced by conscience or circumstance to stay at home. The travellers were in no real danger, and an obscure conviction that somehow it serves them right and that they had no business to be on the train at all allies itself to a complacent counting of blessings. At least we are not imprisoned with a herd of strangers without food or drink — the size of the train rules out the compensation of a well-stocked dining-car — and the prudence or the patriotic desire to obey the exhortation of the posters which kept us off the railways shines in a brighter light than ever.

Christmas cards are responsible for a number of misconceptions about the character of an English Christmas and the kind of weather that usually accompanies it, but it takes a hard and unromantic heart to resist

the appeal of the illustration of the stage coach, with its cheerful air of bustle and animation, which decorates so many mantelpieces at this time of the year. There indeed seems the ideal way of travelling: slow the journey might be, judged by our modern, feverish ideas of speed, but surely the warmth inside, the tingling glow of the frosty air out, and the atmosphere of jollity and good-fellowship with which the Christmas-card artist manages to pervade the whole must have made the time pass quickly enough.

Debunking is a crude word for the subtle, if suspect, art by which LYTON STRACHEY reduced the imposing personalities of the great Victorians to the dimensions of gesticulating figures seen through the wrong end of a telescope, but it is expressive, and what STRACHEY unfairly did to the persons of the last century, MR THOMAS BURKE convincingly does to the delights of coaching days and ways.

"Among the other joys of coaching," he writes, "were a broken axle-tree, a broken drag-chain on a hill, broken reins, a broken bridge, a flooded road, and," he goes on with the relish of the true debunker, "in addition to the natural dangers, you might meet a serious danger belonging specially to the Christmas season — the danger of the drunken coachman, by which the coach might be overturned, or get off its right road, or even, through the coachman's half-blind state, turn round and go the other way."

Looking upon that picture and upon this of the trains lost in drifts of West Virginia, it seems that when it comes to travelling at Christmas, whatever the century or circumstances, the best way of making sure of arriving is, as the stage Irishman put it, to stay where you are.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

'Farcical' rejection of Channel 5 bid

From Sir Hugh Dundas

Sir, Your report (December 19) about the Independent Television Commission's rejection of the Channel 5 licence application quotes David Elstein, one of the most experienced and intellectually well-equipped television executives in Britain, as saying that the decision is "indefensible". Certainly we need a fuller explanation than has been forthcoming so far if suspicions about the ITC's motive are to be allayed. In particular, the commission's view that the sole bidder had failed to demonstrate an adequate degree of investment commitment seems, in the light of the facts, as I understand them, farcical.

What are those facts? In September, a late stage in the application process, the ITC told "Thames" Television, leader of the applying consortium, that it would not make the provisional award without formal documentary evidence that the great majority of the funding — 70 per cent at least — was firmly in place. That had not been a condition stipulated in the original rules covering applications.

The consortium planned that half of the required 70 per cent funding would be provided by Thames and half by Time Warner, one of the world's largest and financially strongest media companies.

Thames was able, in the short time allowed by the ITC's new edict, to compile and provide the documentary evidence in relation to its 35 per cent, in the form required. Time Warner was unable to do so, mainly because of its own somewhat rigid rules on board approvals for major financial commitments. However, it provided categorical assurance in writing.

Final and formal approval from

Time Warner was expected to be forthcoming during the 12-week period between the provisional award, on December 18, and the actual grant of a licence. That interval had been specifically provided by the ITC in order that the financial arrangements of a successful applicant could be completed.

Thames's financial participation was backed in writing by the board of its principal shareholder, Thorn EMI. Strong expressions of willingness to participate financially were submitted by Pearson and Associated Newspapers, in this country, and by Cox Enterprises and Capital Cities-ABC in America. It would be hard to imagine a group of companies containing greater financial strength combined with relevant technical and operational expertise and experience.

One can hardly be blamed for suspecting that the ITC seized upon a technicality to provide it with an excuse for rejecting the application, thus postponing sine die the launching of a fifth television channel.

Although I accept that ITC rejects that charge, I believe that the commission must have been strongly influenced in its decision by a desire to protect, perhaps particularly in London, the companies to which, a year ago, it awarded licences under the bingo-like procedures so unfortunately and, indeed, foolishly put in place by a Tory government. So much for greater competition and choice in broadcasting.

Yours faithfully,
HUGH DUNDAS (Chairman,
Thames Television Ltd, 1981-7),
The Schoolroom, Dockenfield,
Farnham, Surrey,
December 19.

Cost-efficiency of 'doomed' hospitals

From Dr Peter Draper

Sir, Jeremy Laurance reports (December 16) that Sir Bernard Tomlinson is "astonished at the degree of acceptance of his report". Laurance puts his finger on what he rightly calls the paradox at the heart of the report: "If London has too many hospitals, why is there no room in them?" One might add: "And why are waiting lists still an international disgrace?"

Unfortunately, Sir Bernard's hurried assessment of London's current and future health needs was frankly amateurish. For example, as his report revealingly says, "although we have not seen it as part of our remit to carry out a comprehensive health needs assessment... we have looked briefly at various indicators" (para 20).

Similarly, having stated that Londoners are "no less healthy than people elsewhere", on the very next page the Tomlinson report notes that standardised mortality ratios for inner Londoners aged 15-64 "stand out even more starkly... with an overall average of 121" (para 26).

The Tomlinson report is no basis for hacking away at London's health services. The acute financial problems created by the mad "internal market" that has been foisted on the NHS need to be solved in different ways. And the complex health-planning problems of the capital deserve serious attention.

Yours sincerely,
PETER DRAPER
(Emeritus Consultant to
Guy's Hospital),
12 Eastwood Road,
Muswell Hill, N10,
December 16.

From the Chief Executive of the
Royal Brompton National
Heart & Lung Hospitals

Sir, Simon Jenkins ("Suffer the little children", December 16) refers to "the eight doomed specialist hospitals" as being "so inefficient and expensive that the internal market will soon bankrupt them". Had Mr Jenkins checked his assumptions with the Royal Brompton Hospital and with the London Chest Hospital he might not have made such a sweeping statement.

Royal Brompton and the London Chest Hospital are demonstrably both efficient and effective. An operational review of both hospitals this year has resulted in a 20 per cent reduction in staff costs, together with a reduction in our number of medical consultants — a precedent, I think, in the National Health Service. We are now lean and ready to compete in the internal market.

A recent study by a consulting firm for the Department of Health shows our two hospitals to be 21 per cent more efficient than comparable hos-

pitals, and on December 17 (although Mr Jenkins was not to know at the time of writing) the Higher Education Funding Council for England awarded a grade 5 — the highest possible grading for excellence — to Royal Brompton's associated research institute, the National Heart and Lung Institute, for "its clinical research based wholly or chiefly" at Royal Brompton (report, December 18).

There is much sound sense overall in Professor Tomlinson's report. However, his proposal to move Royal Brompton to the Charing Cross Hospital is severely flawed, as has been revealed in a comprehensive and objective economical and financial review by Ernst & Young.

We are striving to present our opposition to the proposed move to the Charing Cross on the basis of facts and reason, since it is our view that an emotional response and transparent attempts to manipulate the political scene are both inappropriate and unacceptable.

Yours sincerely,
W. BAIN,
Chief Executive,
Royal Brompton National
Heart & Lung Hospitals,
Sydney Street, Chelsea, SW3,
December 21.

From Mr Martin Rees

Sir, For whom does Simon Jenkins speak in criticising those who are trying to save St Bartholomew's Hospital?

I shall declare my own interest. My son has been treated for the last two-and-a-half years at Bart's. When I read Professor Tomlinson's report, I do not shudder or squirm. I experience simple, straightforward fear. There is no surplus capacity for the treatment of childhood cancer in London, and I know at first hand that the unit at Bart's is frequently under enormous pressure.

If the Bart's unit were to be closed and no alternative, and at least equivalent, facilities provided elsewhere, the consequences would be unthinkable.

Tomlinson makes no concrete proposals for the replacement of capacity lost, particularly for specialty treatment that can never be provided in district general hospitals. The patient has no way of knowing whether such proposals will ever be made. He stares into a black hole.

Patients are, at any given time, a small weak minority. They cannot defend themselves effectively, but they can reasonably expect careful consideration and even media support.

Yours faithfully,
MARTIN REES,
15 The Mount,
Rickmansworth, Hertfordshire.

Howard Carter's grave

From Mr T. G. H. James, FBA

Sir, Your Archaeological Correspondent, in reporting (December 5) on a recent appeal in the magazine *Archaeology* seeking to raise funds for the rehabilitation of the grave of Howard Carter, appears to be unaware that fees for the upkeep of the burial in Putney Vale cemetery have regularly been paid by a member of the Carter family and that the plot has been regularly embellished and tended by an enthusiastic supporter of the archaeologist's life and career.

The stone surround is not in the best of condition and the inscription on the headstone is not easy to read; but few simple burials over 50 years old show the affectionate care devoted to Carter's grave. The inscription is, of course, of its period and its reading should present no problem to an epigrapher of fair competence.

Some things can be done for Carter's grave, but the best intentions should be tempered by a consideration of the views of members of the Carter family and of others who have taken a serious and sympathetic interest in the site.

Yours faithfully,
HARRY JAMES
(Keeper of Egyptian Antiquities,
British Museum, 1974-88),
14 Turner Close, NW11.

Hong Kong's future

From Mr Dick Wilson

Sir, Hong Kong was at first elated by Chris Patten's reform proposals (letters, December 9, 14, 16), believing that these would lead to (more or less benevolent) one-party rule of the kind thrown up in all other East Asian states on which Western-style democracy was imposed, from Japan to Singapore, South Korea to Taiwan.

Now, however, China has shown its anger and the Hong Kong people see more clearly the risks of constant and financially damaging friction with their future masters.

We should not push them into forms of democracy they do not immediately demand: the time is too short. If that had been our perceived role we should have done it much earlier and given it time to settle.

If we push democracy onto them now, we have no way of protecting the tender plant after 1997. Only they can devise a strategy for living within the People's Republic.

Yours truly,
DICK WILSON (Editor, *Far Eastern Economic Review*, 1958-64),
67 Grove Lane, Camberwell, SE5.

Older mothers

From Dr Jean Wilson

Sir, Older mothers are not a new phenomenon (letter, December 21). Women have always borne children right through their fertile years, which extend well into their forties.

What are recent, in modern industrialised societies, are the intentional limitation of family size, and the choice by some women to have their first babies comparatively late in life.

Yours faithfully,
J. L. WILSON,
Wholesale,
Hartford, Cambridge,
December 21.

Unseasonal tidings

From Mrs Anita Tingey

Sir, The Central Office of Information has just produced a special Christmas edition of the *Single Market Report* on behalf of HM Customs and Excise, on the front cover of which is a panel wishing the readers "Merry Christmas and a Happy New Year" in all the single-market languages.

The Spanish version reads "¡Felices Pascuas y Feliz Año Nuevo!". Pascuas is Spanish for Easter. For me, this sums up our state of readiness for the single market and the quality of product we plan to supply it.

Yours faithfully,
ANITA TINGEY,
Wellway House,
Funchingfield, Essex,
December 20.

From Mrs Jane Roberts

Sir, What a sad reflection of our times that this traditional "season for giving" seems to be increasingly re-interpreted as a "time for getting".

This evening we have had two visitations from young "carol-singers", who, having delivered one ready verse of "We wish you a merry Christmas", seemed astonished at the suggestion that the content of their collecting box should go to any worthwhile cause than themselves.

Yours faithfully,
JANE ROBERTS,
29 Morella Road, SW12,
December 20.

Letters to the editor that are intended for publication should carry a daytime telephone number. They may be sent to a fax number — 071-782 5046.

COURT CIRCULAR

KENSINGTON PALACE

December 21: The Prince of Wales this morning departed from Royal Air Force Lyneham for a visit to Czechoslovakia.

Mr Peter Westmacott, Miss Belinda Harley and Mr Richard Arkler are in attendance.

YORK HOUSE

ST JAMES'S PALACE
December 21: The Duke of Kent this evening attended the 25th Anniversary of the Royal Concert in aid of the Malcolm Sargent

Cancer Fund for Children at the Royal Albert Hall.
Commander Roger Walker, RN, was in attendance.

THATCHED HOUSE LODGE

RICHMOND PARK
December 21: Princess Alexandra, Patron, this evening attended a "Celebration of Christmas" in aid of the Mental Health Foundation at Guildhall, City of London.
The Lady Mary Muntford was in attendance.

Appointments in the Forces

Royal Navy

CAPTAIN J.M. Cople - Ordnance Board 2.2.93; G.M. Heathcote - MOD London 14.12.92; R.N.E. Payne - Staff of CINCPACFLT 12.12.92; J.P. Simpson - Staff of CINCPACFLT 12.12.92.

ACTING CAPTAIN: H.F. May - MOD London 5.1.93.

COMMANDER: E.C. Addison -

Brussels 25.9.93; J. Bruce - MOD London 2.7.93; K. Jones - Daedalus 30.9.93; C.P. R. Montgomery - MOD London 29.1.93; J. Owens - Staff of FOST 20.1.93; C. Peach - Dartmouth BRNC 14.1.93; W.J. R. Pennington - MOD London 25.9.93; W.E. Ridgeley - Staff of FOST 26.9.93; J.P. Simpson - MOD London 18.6.93; R.A.S. Turner - Dartmouth 12.9.93.

SURGEON COMMANDER: T.R.

Douglas-Riley - Dartmouth BRNC 23.1.93; R.W. Smith - RNH Gibraltar 14.9.93.

REAR ADMIRAL: C.H.D. Cooke - Fleet -

3.9.93; H. Pinnis - 6.2.93.

Royal Marines

LT GENERAL: Lt Gen Sir Henry

Brayley CBE, OBE to be placed on the retired list 8.6.93.

LT COLONEL: Lt Col M.J. Ward to be

AC Col 18.12.92; Lt Col J.R. Alder to be

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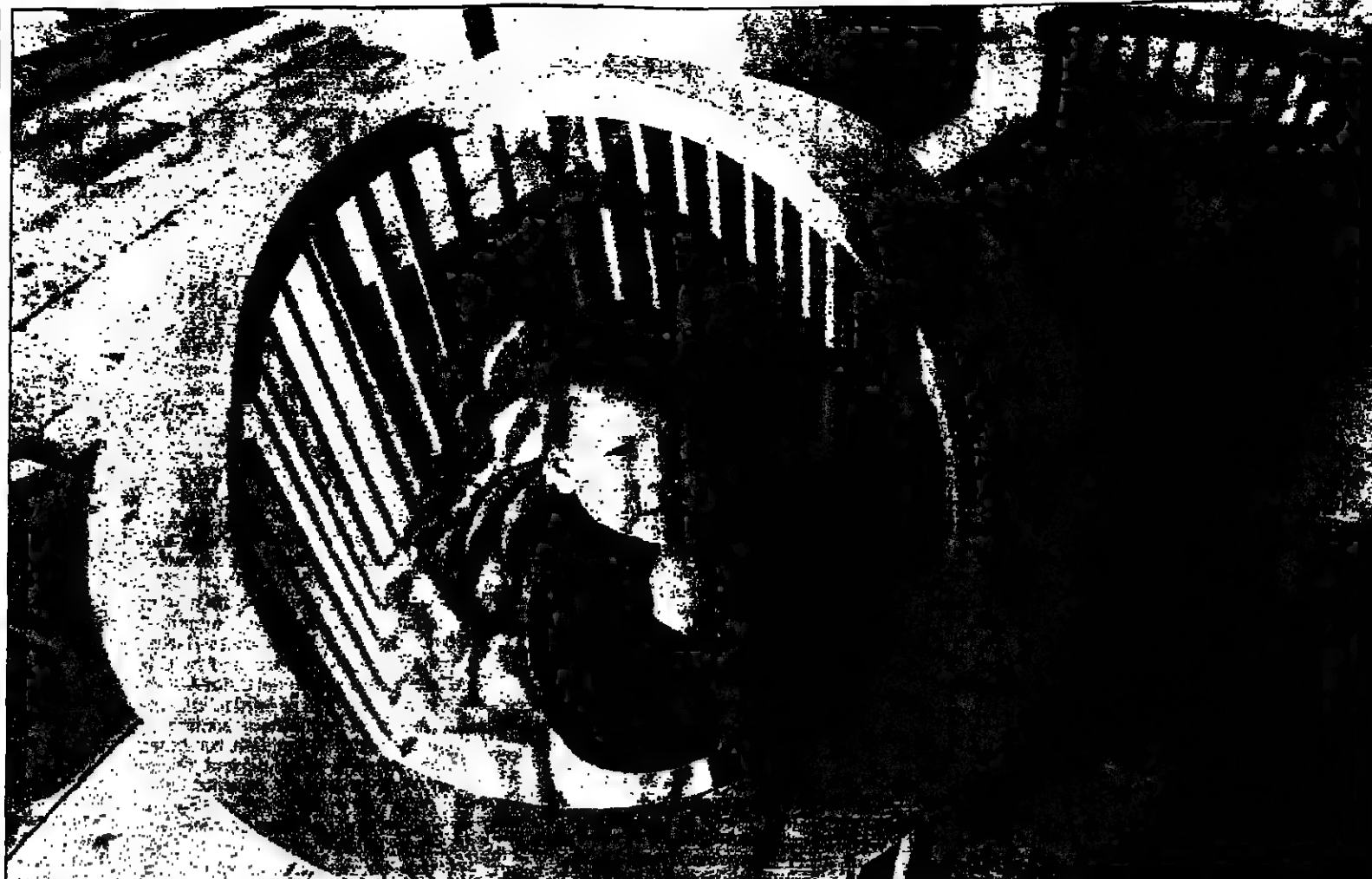
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Designed to help: Noah Pryke, aged one, looks out cautiously from a wooden cot specially made by his father Nick and other young furniture designers to be sold to raise money for families in the former Yugoslavia. The cot, with bedclothes and a toy, will be on view at the Decorative Arts Today exhibition at Bonhams, Knightsbridge, London, from January 25 to February 7. Bidding starts at £500

Institute of Marine Engineers

The following have been elected

fellow members of the Institute and may use

the designatory letters FIMAR:

C.S. Brooks; M.S. Cheyne; D.C.D.

Clark; D.L. Cunningham; C.E.

Edwards; G.H. Fabian; A.A.

Khan; J.T. Ogunmakin; Capt.

R.N.M. Faig; R.N. Y.D.N.M.J.

Peters; E.J. Roddy; D. Rowan;

J.R. Selby; C.W. She; G.K. Sum-

ner; T. Tate; Capt. J.E. Westphal;

RAN; T.S. Wilkinson.

MANCHESTER

Recent grants include:

A.R.C. Endothelial dysfunction.

Professor M. R. Grant, £19,679.

British Heart Foundation. The role of

lipid second messengers in the

development of cardiac and vascular

structural changes in hypertension. Dr

V. Gnanapavan, Dr J. Chandra,

Professor A. Hargreaves, £14,000.

Institute of Education. Training for

economic development. Dr J. Chandra,

Professor A. Hargreaves, £14,000.

MRC. Neural mechanisms of movement

disorders. Professor A.L.

Anthony and Dr M. A. Smith.

£22,415; MRC. Neurophysiology of

motor learning. Dr J. Chandra,

Professor A. Hargreaves, £14,000.

NEBC. Role of 3-HA cholinergic

receptors in the regulation of

muscle tone. Dr J. Chandra,

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OBITUARIES

STEVEN ROSS

Steven Jay Ross, who built a family funeral parlour business into Time Warner Inc, the world's largest media and entertainment company, died of complications arising from prostate cancer in Los Angeles on December 20 aged 65. He was born on April 5, 1927.

THERE was no degree in business administration, no family fortune, no network of influence in the background of Steven Ross. He was the epitome of the American Dream: a poor boy who rose to fame and riches by virtue of talent and imagination. His legacy, the culmination of a career which included his share of disasters, is a multi-national publishing, television and film empire, with the power to influence minds throughout the world.

The son of a Jewish immigrant, who lost his money in the Depression and changed the family name from Rechin to Ross in 1932 while struggling to find work, Ross showed his gift for making money at an early age. He would borrow cash from his father and walk more than a mile to a supermarket, where he would buy discounted cigarettes by the carton. He then sold them to his father by the pack for a profit.

Ross Senior probably approved. On his deathbed he gave his teenage son a piece of advice that Steven Ross often quoted as his inspiration: "There are those who work all day, those who dream all day, and those who spend an hour dreaming before setting to work to fulfil those dreams. Go into the third category, because there's virtually no competition."

Ross liked to describe himself as a visionary and a risk-taker, once saying "If you're not a risk-taker, you should get the hell out of business." There were those who disputed the latter claim, pointing out that Ross risked very little of his own money in his enterprises, preferring to rely on remunerative employment plans,



stock options and bonuses, rather than take entrepreneurial chances. But there was no denying his vision. More than any one man he foresaw the possibilities of cable television, and worked for two decades to spread its electronic tentacles throughout American society.

His career began inauspiciously. After a brief stint in the US Navy he went to work for an uncle in the garment district of Manhattan. Then, at the age of 26, he married Carol Rosenthal, daughter of a successful New York undertaker.

Debonair and charming, Ross was an instant success with the grieving families at the funeral parlour. Noting that the company's limousines were only used during the day, Ross began to arrange for them to be hired out at night.

With the aid of a bank loan, that profitable enterprise turned into Abbey Rent-a-Car, which in turn merged with the Kinney garage business, an office-cleaning firm owned by his father-in-law's cousin, and the funeral parlour. Ross found himself at the head of an oddly

diverse group, largely run by family members. The company went public in 1962, with a market valuation of \$12.5 million.

Then in 1969 Kinney bought the ailing Warner-Seven Arts film studio and record producer for \$400 million. His management style of selecting good executives, letting them have their heads and paying them generously, was well suited to Hollywood. So was his unerring instinct for popular taste. Warner, soon to be renamed Warner Communications, became a profitable and unusual haven of stability in the film capital.

While his film studio was turning out such hits as *All the President's Men*, *Woodstock* and *Batman*, Ross was getting into the cable television business. Under his direction, Warner bought the music video channel, MTV, and the Nickelodeon cable service for children's programming. Both became enormously successful, as did the company's global record group.

Ross lived well, relishing his wealth, with a social life that began to revolve around such celebrity figures as Barbra Streisand, Dustin Hoffman and Steven Spielberg, but his generosity to his employees matched his own lifestyle. As Warner grew, its lavishness became legendary, with generous gifts all round at Thanksgiving and Christmas, and corporate holiday homes in Acapulco and Aspen. Colorado. If an executive wanted a face-lift, the company paid.

There were setbacks. In 1982, Warner lost more than \$1 billion with the sudden collapse of its Atari video games division, with Ross being blamed for allowing too much latitude to its management. There was also persistent innuendo over possible connections with organised crime, after two senior Warner executives, close friends of Ross, were convicted for racketeering. No charges were ever brought against Ross, who repeatedly proclaimed his innocence, but as chief executive of

Warner he should have known what was going on. The Warner stock plunged after the Atari disaster, and Ross found himself fighting a takeover bid from Rupert Murdoch in 1983, which he fended off only at the cost of selling 20 per cent of Warner to Chris-Craft Industries, a New York conglomerate headed by Herbert J. Siegel.

Siegel and Ross warred constantly over the latter's management style. There was also criticism of Ross's huge compensation — in 1990 he received \$78.2 million in salary and bonuses — which the chief executive angrily defended as "my reward for 30 years work at Warner." Siegel was mollified in 1989, however, when Ross negotiated the \$14 billion deal with Time Inc. which merged Warner with the huge magazine publishing empire and also gave it control of some of America's largest cable television systems. Siegel walked away with a profit of more than \$1 billion on his five-year investment as a result of the deal, which also saddled Time-Warner with \$11.8 billion of debt.

At the end of his life, Ross was consumed with the idea of taking global news and entertainment a step further. He envisaged the use of cable television as an interactive service, providing services ranging from banking to voting, on hundreds of channels. His battle with cancer, however, forced him to withdraw from active service as Time-Warner's chairman and co-chief executive last autumn, and his place was taken by his hand-picked successor, Gerald Levin.

Steven Ross's personal life probably suffered from his intense business activities. His first marriage ended in divorce in 1978: his second, to the stepdaughter of William Paley, chairman of CBS, was dissolved in 1982 after only 16 months. He remarried the same year and is survived by his third wife, Courtney, one son and two daughters.

APPRECIATIONS

The Rev Alan Ecclestone



THE sensitive and far ranging obituary of Alan Ecclestone (December 17) gave an insight into the life and work of an outstanding clergyman which can be appreciated by the non-Christian community as well. At the same time, it is necessary to refer to one more dimension of Alan Ecclestone's work which may be the most lasting contribution he has made to contemporary religious thought.

His *The Night Sky of the Lord* was the pioneer work of what might be called "Christian Holocaust Theology". More than many books which followed, it placed Auschwitz in the centre of Christian awareness and addressed the conscience of a community which had turned its back on the Holocaust. It had professed ignorance of the total evil which had emerged in our time. Alan Ecclestone's careful study of the Christian response to the Holocaust helped create a climate of reconciliation between Chris-

tians and Jews upon which we build today. We mourn his death and feel the need to express our gratitude for a noble life and a profound teaching which ensure his continuing influence in the world of interfaith dialogue today.

Rabbi Albert H. Friedlander
Dean, Leo Baeck College,
London

Baron Geoffroy de Courcel



I HAVE only one comment to make regarding your otherwise excellent obituary of the late Baron de Courcel (December 12) and that is that you made him sound perhaps unduly formal. In fact, he had a keen sense of humour.

I recall two examples of this. The first was when he accompanied General de Gaulle on a private visit to Prime Minister Macmillan at Birch Grove. Owing to the size of the General's suite, there was something of a shortage of bedrooms, so Lady Dorothy arranged for my husband and Baron de Courcel to share the old nursery.

He told me that they whispered to each other during the night "like schoolboys in a dormitory" and that their beds were divided by a shrouded rocking-horse. He found this delightfully English.

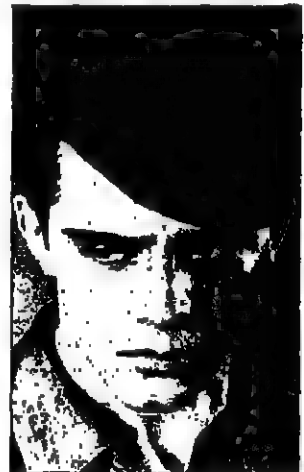
On another occasion when General de Gaulle had been ill and was refusing to rest, my

husband suggested that, as one of the only people the General would listen to, Geoffroy should send him a message advising caution.

"Well," said Geoffroy, "as a matter of fact, I have — you see this time I reckoned I had the Channel in between!"

The Hon Lady Marie-Louise de Jülich

Hans Züllig



HANS ZÜLLIG, (obituary, November 28) acclaimed in 1947, by a *Manchester Guardian* correspondent, as the greatest male ballet dancer in the world, achieved a level of graceful perfection in his movement that I have observed in no other male dancer. I am sure this was due in part to his amazing devotion to his art: I remember him practising different positions in front of a long looking-glass even when he was taking afternoon tea, when the Ballet Joos was staying with Dr Alice Roughton in Cambridge during the war.

Incidentally it was here that he became, temporarily, the proud possessor of a bottle of whisky, an extremely rare luxury at the time. That night he was disturbed by the opening of his bedroom door. His enquiry as to who was that was

greeted with the dark reply, "A stranger". The door shut. The stranger departed. In the morning the whisky was found to have departed too.

Alexander Hopkinson-Woolly

BRIGADIER JOHN BLOMFIELD

Brigadier John Reginald Blomfield, OBE, MC, former deputy director of the Military Engineering Experimental Establishment, has died aged 76. He was born on January 10, 1916.

JOHN Blomfield was liaison officer for the nuclear weapon tests at Maralinga, South Australia, in the 1950s — later to become the subject of controversy and litigation.

His combination of quiet diplomacy and firmness made him seem a natural selection for the job, which involved acting as an official go-between for the British and Australian governments and the building company responsible for the site. Applying the same qualities to his superiors, he even persuaded them to place an aircraft at his disposal, to enable him to move around the outback and commute from his temporary family home in Adelaide. The OBE with which he was invested in 1957 after three years reflected official recognition of his expertise in keeping relations sweet between all the parties.

Blomfield was himself a highly experienced military

engineer by the time he was hand-picked for the Australian job in the mid-1950s. He had been mentioned in dispatches in France in 1940 in acknowledgement of the part played by his unit, 23rd Field Company, in blowing up bridges and otherwise hampering the enemy during the British Expeditionary Force's retreat to the French coast. In the end Blomfield's men were among the last British troops to embark from Dunkirk, eventually crossing the channel in the destroyer HMS *Winchelsea*.

Blomfield was back on the Continent four years later, leading 284 Assault Squadron, a force of about 250 sappers equipped with some 30 converted Churchill tanks. Their equipment included petards, charges of high explosive which they fired at the German defences from short range to help clear the way for the advancing British infantry. Interestingly, this was an adaptation and reintroduction of a somewhat primitive form of close-quarters mortar which had been much used for blasting in fortresses among the armies of Shakespeare's time. The need for such a heavyweight response had been clearly exposed at



the time of the disastrous Dieppe raid in the summer of 1942, when attacking troops had suffered cruelly from the lack of adequate weaponry and tactics for engaging well-defended positions just behind the shoreline. Thus, the humble petard — immortalised in Hamlet's memorable phrase,

but long since discarded by modern armies — came into its own once again during the Normandy landings.

Blomfield's squadron took part in the capture of Le Havre, then worked its way along the coast and into north Germany, clearing the Rhine-land in February 1945, then

crossing the Rhine itself one month later. Tragedy overtook it on one occasion when a load of nitro-glycerine blew up during mine-clearing operations, killing a number of men.

Blomfield himself won the MC for continuous gallantry in the European campaign and was again mentioned in dispatches before the war ended. He then remained in Germany for a while in the army of occupation, stationed first at Hamelin and then at Kiel.

John Blomfield was born in Calcutta, the son of a civil engineer whose family had lived in India for two generations. He was sent to this country as a small boy to Clifton College from where he won a scholarship to the Royal Military Academy, Woolwich, and was commissioned into the Royal Engineers. From Woolwich he went to read for a degree in engineering at Peterhouse, Cambridge.

On returning from Australia in late 1957, he was sent on a short course at the Green-land Administrative Staff College at Henley. Then he was posted for a time to the War Office before taking over the command in 1959 of the 22nd Field Engineer Regi-

ment, stationed near Marlborough and doubling up as Commander Royal Engineers in 3rd Division.

In 1960 he began his first spell at the Military Engineering Experimental Establishment (MEKE), Christchurch, as superintendent of mechanical equipment, then in 1964 was made deputy assistant chief of staff (logistics) at Nato's military headquarters in France. He was promoted brigadier and returned to MEKE in the following year as deputy director and retired from there in 1969.

Blomfield became manager of the New Towns Commission at Hemel Hempstead on leaving the army and remained there for nine years before retiring for the second time in 1978.

He was a skilled and enthusiastic ocean yachtsman who first sailed in the *Fastnet* race in 1939 in the Royal Engineers' boat, *Hex*. In later years he was content to make slightly less ambitious voyages in his own boat, cruising round the coast of Brittany and elsewhere.

He married his wife Patricia in 1939, on special leave from the BEF in France, and is survived by her and their two daughters.

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RENTALS

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Russia takes the slow route on reform



ARTS 23-25

The vampyr: soap opera opera on the BBC



FOOTBALL 30

Graham Taylor regrets he cannot turn the clock back

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MICRO SCOPE



Microsoft, the world's largest software company, is under fire in America and may face a probe in Britain
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FRENCH IRE

France has again attacked the European Commission's negotiating stance on world trade talks
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SLICK OIL



Lasmo raised \$145.5 million from the sale of assets in the North Sea and Indonesia to reduce borrowings
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LAW TIMES



David Pannick reviews the year at the Bar in 1992 - and what a funny old year it has been
Page 26

THE POUND

US dollar 1.5635 (-0.0040)
German mark 2.4516 (-0.0015)
Exchange Index 80.3 (-0.1)
Bank of England official close (4pm)

STOCK MARKET

FT 30 share 2159.7 (+12.1)
FT-SE 100 2807.7 (+18.0)
New York Dow Jones 3306.25 (+7.02)*
Tokyo Nikkei Avge 17645.44 (-35.30)

INTEREST RATES

London: Bank Rate: 7%
3-month interbank: 7.75%
3-month eligible bills: 6.75-6.85%
US: Prime Rate: 8%
Federal Funds: 3.75%
3-month Treasury Bill: 3.13-3.11%
30-year bonds: 102.5-102.25%

CURRENCIES

London: New York
£: \$1.5635 £: \$1.5645
£: DM2.4516 £: DM1.5825
£: Sfr2.2140 £: Sfr1.4143
£: FF6.4550 £: FF6.3500
£: Yen182.37 £: Yen122.95
£: Index: 80.3 £: Index: 84.9
ECU: 1.716 SDR: 20.89927
£: ECU/£ ECU: 1.716 SDR: 20.89927
London Forex market close

London: FT 30 share 2159.7 (+12.1)
AM 5338.35 PM 5333.80
Close 5338.35-34.10
2213.57-214.15
New York: Dow Jones 3306.25 (+7.02)*
Close 3306.25-34.15*

BRIT (Jan) ... \$18.50/bbl (\$18.50)

RPI: 120.7 November (1987-1992)
* Denotes midday trading price

Heseltine backs down on final bomb liability

By Jonathan Prynn

THE government is to provide last-resort reinsurance cover against terrorist bomb damage on the British mainland from the year end.

Yesterday's decision, announced by Michael Heseltine, the trade secretary, contrasts with earlier government reluctance to underwrite the cost of terrorism, and comes after determined lobbying from commerce and the insurance industry.

This year has seen a surge in IRA bomb attacks against commercial targets on the mainland.

Mr Heseltine said the decision had been taken because it had become "virtually impossible" for insurers in the UK to obtain reinsurance protection against terrorism-related claims. This meant tens of thousands of firms could have been left without adequate cover against bomb damage when policies run out at the year end. Up to £240 billion worth of property was thought to be at risk. Mr Heseltine

Michael Heseltine has confirmed that the government will become the reinsurer of last resort to cover bomb damage on the British mainland, after industry pressure

added: "It is the government's objective that its involvement should be of limited duration and cause the minimum interference necessary with the working of the market. Costs to government should also be kept to a minimum."

Under the terms of a new Association of British Insurers-recommended policy wording, a terrorism damage exclusion clause will be incorporated in policies from January 1, limiting cover to £100,000 in five specific areas of risk - buildings, contents, computers, engineering and business interruption.

However, after the government's announcement, industrial and commercial policyholders will, after all, be able to reinstate their terrorism cover in the new year through payment of a special premium.

Some details of the scheme have yet to be agreed but the additional premiums charged by insurers will be pooled in a mutual fund dedicated to payment of terrorism-related claims from commercial and industrial policyholders. The government has pledged to reinsure the pool, membership of which is voluntary, but insurers will continue to bear a share of the risk. The size of the additional premium will be paid based on the sum insured and the location of the property. Insurers will continue to provide full cover for domestic risks such as private homes and cars. Enabling legislation will be introduced to Parliament in the new year.

Commercial Union paid out 130 claims after April's bomb attack in the City of London but limited its exposure to a maximum of £15 million. Reinsurers picked up the balance of the cost, estimated at £700 million. Had the new scheme been in force, CU would have paid out a maximum of £500,000 on each of the policies plus any extra risk that it was willing to take on in return for additional premiums. The government, acting as the ultimate reinsurer, would have picked up the balance.

Officials said the scheme is "totally different" to the one in Northern Ireland where the government has paid compensation in full for any terrorist damage in excess of £220. Payouts of £616.7 million have been made between 1968 and the end of the financial year 1991-2. Explosions in the province this year seem likely to push the total to about £670 million, but this has been exceeded by the estimated £800 million cost of the City bombing.

Comment, page 19

Industry welcomes decision with relief

By Jon Ashworth

BRITISH industry has welcomed the government's decision to provide a safety net to limit the cost of damage caused by terrorist attacks on mainland commercial property.

The Confederation of British Industry said the decision came as "an enormous relief". A spokesman said: "There was talk of some quite horrific premiums knocking about. It was a matter of very grave concern to all the business community."

Mike Jones, chief executive of the Association of British Insurers, said: "I am pleased we have been able to reach agreement with government on this very sensitive and important area. Government's

willingness to act as reinsurer of last resort will enable our commercial and industrial policyholders to buy full terrorism cover when the exclusion wording is introduced."

The Corporation of London, which has direct responsibility for London's financial district, target of April's IRA bomb attack, had been deeply concerned by the imminent loss of its insurance cover. Michael Cassidy, chairman of the corporation's policy committee, said: "Obviously this is an important safety net for City businesses but there will be a cost to them in increased premiums. We feel there should be an across-the-board increase in premiums to cover this risk."

Share prices soar to record

By Michael Clark and Janet Bush

IT LOOKS like being a very merry Christmas and prosperous new year for City investors, with share prices on the London stock market surging to a record high.

The FT-SE 100 index recovered from a hesitant start yesterday to extend Friday's impressive gains and close up 18.0 at 2,807.7. The index has risen almost 13 per cent this year. Turnover was not as high as Friday's near-one billion, but even so a healthy 831 million shares were traded.

Government securities, however, drifted lower across the board through lack of support. Institutional investors have been enjoying healthy returns on bonds, with the gilt market

staging something of a revival on the back of the recession and the government's funding programme.

Britain registered a tiny rise in gross domestic product growth during the third quarter but this was entirely due to a large gain in North Sea oil and gas production as summer maintenance shutdowns came to an end. Overall GDP rose 0.1 per cent in the third quarter, according to revised government statistics.

However, GDP excluding oil and gas, which is the more accurate measure of economic activity, dropped 0.2 per cent. That was 0.7 per cent below the level of output in the third quarter last year and 4

per cent below the last economic peak in 1990. The fall of 0.2 per cent in the third quarter more than reversed the marginal gain of 0.1 per cent in the second quarter and means that non-oil GDP has fallen in eight out of the last nine quarters.

A Treasury spokesman acknowledged that the figures were disappointing but noted that the third quarter had almost finished by the time Britain came out of the European exchange-rate mechanism and monetary policy was eased. However, he pointed to more hopeful signs of a revival in economic activity during the fourth quarter.

Stock market, page 20

USM prepares for final quotation

By Philip Pangalos

ENTREPRENEURS seeking a stock market listing for their "smaller" companies will soon have to look elsewhere.

The London Stock Exchange confirmed yesterday that, following a review, it has issued a consultative document recommending the closure of the Unlisted Securities Market. If accepted, no new entrants will be allowed from June 30 next year and the Stock Exchange plans to make it easier for USM companies to transfer to the main market.

Yesterday's news was not unexpected. John Houlahan of Hoare Govett's smaller companies team, said: "It's a



Moore: early market star

relief. We all knew the body was about to be embalmed. It was a case of whether the Stock Exchange would give it a decent funeral. They are going to make it very easy for

companies to join the fall list... if you join the USM you've got to be fit enough to go to a full listing."

The USM currently has about 300 quoted firms, against a peak of 448 in 1989. Of the 857 companies that have been quoted, 209 have transferred to a full listing, 200 have been acquired or are under offer and 128 have been removed.

Since its birth in late 1980, the USM has handled some famous names. These include Debbie Moore of Pineapple Dance Studios, Aspinalls casino, British Island Airways, Mrs Fields, Chelsea Man and Airbreak Leisure - one of the most recent casualties. Others, such as Sock Shop and



Season for giving: youngsters window shop at Lakeside while their parents boost takings

Christmas spree for Essex Man

ESSEX Man is spending again. As Christmas looms, the £350 million Thurrock Lakeside shopping centre, just off the M25 to the east of London, is pulling in the crowds (Jon Ashworth writes).

Sales are up 68 per cent at the 500-acre site compared with two years ago and up to 350,000 people are visiting Lakeside each week in the run-up to Christmas. Lakeside is owned by Capital & Counties, a property firm ultimately controlled by Liberty Life, the South African insurance group.

Things did not go well when the centre opened in October 1990. House of Fraser was gutted by fire and had to close for nearly a year and Lewis's department store went into receivership three months after the opening.

Today, there is more than enough to make up for such mishaps, with 320 shops, a cinema, a play area and parking for 9,000 cars.

Give Yourself A Present This Christmas

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OFT to study Microsoft licensing deals in UK

■ Microsoft rejects claims that it used its 95 per cent market share to price out potential rivals. It may face sanctions in America and Britain

FROM PHILIP ROBINSON IN NEW YORK

THE Office of Fair Trading (OFT) is assessing a complaint against Microsoft, the world's largest computer-software maker, whose founder is now the richest man in America. OFT officials are considering investigating the company's practices after it offered an American-style licensing deal to some UK computer makers. The deal is alleged to be a replica of agreements investigated for 30 months by the US Federal Trade Commission, which found that Microsoft, with its dominant MS-DOS computer-disc operating system, engaged in anti-competitive behaviour and used its 95 per cent market share to price out rivals.

The OFT said it had received a complaint from a Microsoft customer. However, it has up to 60 cases on its books at any one time and only a few of these may develop into full-scale investigations. The Federal Trade Com-

mission is understood to be drawing up a list of recommendations that could include the break-up of the company. A decision to move against the company in America is thought likely to heighten pressure for a full OFT investigation of its UK deals. Microsoft says it has done nothing wrong, continues to co-operate with the American investigation, but refuses to speculate on what action the federal watchdog may take.

The issue is politically sensitive. President-elect Bill Clinton, glowing from a successful economic conference dealing with policies to create jobs and improve American competitiveness, is anxious to ensure an edge for the US in the global high-technology market. However, analysts say he will not condone monopolies.

In barely 20 years, Microsoft has been grown by its founder, William Gates III, into the world's largest software maker. At almost \$25 billion, its stock market value is bigger than General Motors and \$2 billion dollars short of IBM, the battered computer giant.

US firm cannot end Canary lease

Bear Stearns International, the American investment bank, has lost a legal battle to end its lease at Canary Wharf, the insolvent office complex built by Olympia & York Developments in London's Docklands.

Bear Stearns asked the High Court to rule its Canary Wharf lease was no longer valid because of a breach of contract. But Justice Morritt said: "In my judgment, there was no repudiation... which BSI could accept so as to discharge it from further performance of the agreement to lease and I so declare."

A spokesman for Ernst & Young, administrator to Canary Wharf, welcomed the ruling and looked forward to working with Bear Stearns.

Earlier this year, American Express and Chemical Bank pulled out of contracted moves to Canary Wharf.

OIS returns to market

OIS International Inspection, the technical inspection services group, is effectively returning to the stock market with a £15 million placing. The company was last listed on the Unlisted Securities Market in the summer of 1991, when it was known as Brompton Holdings.

It lost its place on the USM, which it first gained in 1982 as OIS Group, after Adia, the Swiss employment services group that owns Alfred Marks, bought the remaining 41 per cent of Brompton Holdings it did not already own. OIS returns to the market after a new holding company was set up to buy a group of firms operating under the OIS name from Adia for about £10.8 million. About 30 million OIS shares were priced at 50p each, capitalising the group at about £15 million. Dealings are due to start on December 30.

Chieftain warning

Chieftain Group, the fire protection specialist, gave a warning that full-year pre-tax profits would fall by about £450,000 to approximately £600,000. This came on the back of the continued recession hitting the group's markets, and the absence of tangible evidence of the upturn hoped for in the second half.

A final dividend of 3p a share is expected, increasing the total to 5.1p (4.9p).

Exploration falls

Exploration and appraisal of new oilfields in the North Sea will fall further in 1993, according to a report by consultants at Arthur Andersen. It said oil companies would be deterred from new projects by commitments to existing projects, and by the costs of recent investment in the former Soviet Union.



Under attack in Britain and US: William Gates, the founder of Microsoft

French reopen trade attack

BY COLIN NARBROUGH, WORLD TRADE CORRESPONDENT

FRANCE delivered a fierce attack on the European Commission's stance at the world trade talks only hours after Brussels and Washington formally told Arthur Dunkel, director-general of the General Agreement on Tariffs and Trade (GATT), that they want negotiations successfully concluded by mid-January.

Roland Dumas, the French foreign minister, called last month's EC agreement with America on agricultural subsidies a "tragic mistake".

During a Community foreign ministers' meeting in Brussels, he said the commis-

sion had violated its mandate by submitting Community commitments to world trade negotiations. France claims the transatlantic deal exceeds the subsidy cuts agreed in the latest reform of the EC common agricultural policy.

Despite the French protests, President Bush, John Major and Jacques Delors, the Commission president, confirmed, in a message to Mr Dunkel, their agreement that the GATT negotiations should be speeded up urgently. "The aim should be to conclude a balanced and comprehensive agreement by the middle of

January," it said. The trade round's steering committee meets on January 15.

The leaders called on negotiators to finalise texts of agreements in all areas of the trade liberalisation round, to complete the outstanding negotiations on market access and services, and to determine the institutional structure that will govern both existing and new agreements.

□ Hungary, Czechoslovakia and Poland signed an agreement to remove duties on industrial and agricultural goods. The pact will remove obstacles to trade by 2001.

Lasmo sales raise \$145m

BY GEORGE SIVELL

LASMO, the oil group, yesterday raised \$145.5 million from sales of assets in the North Sea and Indonesia, which analysts said would reduce borrowings from 71 to 63 per cent of shareholders' funds. The shares rose 9p to 151p in response.

The company has further disposals in the pipeline but also has to finance development spending next year.

Added to the \$1.1 billion Lasmo took in from selling Ultramar's refining and marketing business this year and \$398 million of upstream oil exploration assets, Lasmo has made sales of \$1.528 billion.

Analysts are still concerned about the final dividend. At the half-year stage Lasmo maintained its payout, but said the full-year payment would depend on the sterling oil price.

At the time it was £10.33 a barrel, yesterday it was £11.80.

Chris Greentree, Lasmo chief executive, said: "These disposals, together with further transactions planned for next year, form part of our continuing asset management programme, which will reduce gearing and realise value from peripheral assets."

In 1993 we will be concentrating our investment programme on core exploration and development projects which have significant added-value potential." He added that since acquiring Ultramar one year ago, Lasmo had exceeded its 1992 upstream disposal targets with sales of more than \$1.5 billion.

Yesterday's disposals included an 8.52 per cent interest in the North Sea's T-block, which contains the Tiffany, Toni and Thelma fields, to a subsidiary of Murphy Oil for \$100 million. The T-block transaction is subject to pre-emption rights of partners.

Lasmo has also agreed to sell 23.41 per cent and 14.7 per cent interests in North Sea blocks 22/27a and 29/2a to Enterprise Oil for £15.2 million. Both transactions are subject to Department of Trade and partner approval.

Lasmo has also sold a minor interest in the Dutch block K9 to a Goal Petroleum subsidiary for £2.2 million. In Indonesia Lasmo has agreed to sell its 3.72 per cent interest in the southeast Sumatra production-sharing contract to Itochu Corporation of Japan for \$19.5 million.

Courtaulds Textiles given pension rebate

BY GRAHAM SEARJEANT, FINANCIAL EDITOR

TRUSTEES of the Courtaulds Textiles pension fund, one of the best funded in the country, have approved a repayment to the company of about £32 million, equivalent to £19 million after tax. The repayment is accompanied by improvements in pension benefits costing £15 million.

The agreement brings the surplus in the fund, on the conservative government actuary's assumptions, down to 5 per cent, the maximum allowed without incurring tax penalties. The surplus is still more than £16 million on the company's assumptions and more than £50 million on standard accounting calculations.

The repayment required a nine-to-two majority of the fund's trustees and therefore a majority of elected trustees. Men or women are already entitled to retire on full pension at 60 and, with the company's agreement, at 55.

Courtaulds Textiles demerged from Courtaulds in 1990, starting with no existing pensioners to absorb any surplus in higher benefits. Those retiring since have gained real increases in pensions and are guaranteed indexation up to 1995. Deferred pensions have also been indexed to inflation. Under accounting rules, the repayment will cut Courtaulds' borrowings. The interest benefit will be slightly less in future years than the reduction in the notional credit to profits from overfunding. The shares rose 10p to 55p.

Martin Taylor, the chief executive, said: "This agreement allows us to use what was, in effect, dead money for the benefit of the shareholders, the scheme members and our pensioners. We already had an excellent pension scheme; it is now even better."

Comment, page 19

Earnings rise 19% at Ivory

BY NEIL BENNETT, BANKING CORRESPONDENT

IVORY & Sims, the Edinburgh fund manager, boosted its earnings per share 19 per cent to 4.94p in the six months to end-October after buying in 2.25 million of its shares this summer and cancelling them. Pre-tax profits rose a more modest 9 per cent to £2.27 million. A rise in interest income and a fall in costs helped the group overcome a £300,000 fall in revenue as Ivory's funds under management remained almost static at £2.95 million.

The rise in earnings has prompted the company to increase its interim dividend 40 per cent to 1.75p. The size of the increase is intended to reduce the imbalance between the interim and final dividends. Ivory said it planned to pay a minimum 4.5p final dividend, to make 6.25p for the year, up 9 per cent.

French steel chief defends job cuts

BY OUR WORLD TRADE CORRESPONDENT

FRANCIS Mer, chairman of Usinor-Sacilor, the French state-owned steel group facing government resistance to its plan to shed thousands of jobs, rejected accusations that he is overly pessimistic and said the outlook for steel is the worst he had ever seen.

Critics of the company's plans to axe a further 2,500 jobs by 1995, on top of the 8,000 previously announced, have argued that Usinor-Sacilor has based its streamlining programme on unduly gloomy assumptions about the steel market.

Dominique Strauss-Kahn, the French industry minister, made clear last week that the government, deeply concerned about high unemployment, does not support the proposed job-shedding in steel. But the dire state of the European steel industry was put into sharp focus this month when Klöckner, a lead-

ing private-sector steelmaker in Germany, was forced to seek protection from its creditors.

Mr Mer said the industry was at the "bottom of a deep hole", with prices and volume sales falling at the same time. West European producers faced increasing competition from imports from eastern Europe, while America was putting up the shutters to imports from Europe, he said.

The latest figures from the International Iron and Steel Institute yesterday underlined Mr Mer's view. They showed that western Europe led the decline in world crude steel output, with the region's production in November at just 12.2 million tonnes, a fall of 11.3 per cent from November last year. Output in the industrialised world was down 4.6 per cent. Total production for the first 11 months this year was down 3.1 per cent.

Cyclical shares still waiting for their turn in market spotlight



Competition: Sir Paul Girolami, Glaxo chairman, is facing fiercer rivalry

WITH the FT-SE 100 share index hovering around its all-time high yesterday, it is tempting to suggest that investors believe recovery is just around the corner.

Were this to be the case, the big City fund managers would start switching away from the safe stocks, such as food, utilities and healthcare, into cyclical shares such as builders and manufacturers. That is not yet obvious. The closest the market has come yet to demonstrating a belief in recovery has been the recent mark-up of medium-sized companies or second-line stocks as fund managers scour around for possible recovery plays.

Share price peaks reflect mainly the fall in interest rates. The City is still healthily sceptical on hopes for economic recovery. Some big industrialists, such as Lord Weinstock and Sir Antony Pilkington, say things have stopped getting worse and

TEMPIUS

that they can see the odd glimmer, but there is little hard statistical evidence yet. That will be needed before fund managers begin to bet on a recovery again. There have been two false dawns already, in the second quarter of this year and in the first quarter of 1991, when investors forsook defensive shares for the sake of more exposure to recovery in the cyclical economy.

What happens when the market believes in recovery can be seen from the rises in shares with exposure to the American market.

They have found favour beyond the devaluation effect because it is more certain that recession there is fading. In contrast to the final GDP figure for Britain's third quarter yesterday showing a 0.2 per cent fall in the non-oil

economy compared with the second quarter, America has grown for four quarters in a row. Fund managers are also drawn to shares with American exposure by the dollar, which is expected to strengthen further against the pound in the coming year. All this seems to have worked very neatly against what would appear to be two core defensive stocks, Glaxo and Wellcome. Health stocks are supposed to be good for investors in recession, but Glaxo shareholders will have suffered giddiness in the past few days and Wellcome shareholders are getting over depression caused by the Trust reducing its stake.

Both companies will lose their attractions as defensive shares in economic recovery, and both will suffer from low earnings in dollar terms, even

though devaluation helps sales in sterling terms. Brokers suggest that Glaxo's newer drugs are not selling as well as previously thought and Astra, Glaxo's Swedish rival, gave a strong presentation recently on Losac, the rival ulcer drug to Zantac. At the full-year results in September, Glaxo emphasised that while Zantac was still growing 9 per cent of sales came from three new drugs: Zofran, an anti-nauseant, Serenit, an asthma drug, and Imigran, a treatment for migraine.

Analysts are looking for £1.49 billion pre-tax profit in the current year from Glaxo compared with £1.43 billion in the year to June 1992, leaving earnings of 40p a share and putting the shares on a multiple of 19.4. On dividend forecasts of 18p a share, Glaxo is yielding a prospective 3.1 per cent but its rating says nothing about the market as a whole.

BUSINESS ROUNDUP

Culver makes all-share bid for DG Durham

CULVER Holdings, the year-old motors group, is buying the insurance businesses from DG Durham, the troubled Lloyd's insurance broker, and bidding for the rest of the group. The complex deal has been organised by three directors of both Culver and Durham including John Biles, who owns 51 per cent of Durham and 27.1 per cent of Culver.

Culver is paying £62,000 and up to £1.4 million later for DG Durham Insurance Holdings, which in turn owns a travel insurance broker, a life and pension broker and a claims agency. The cash will enable Durham to repay bank loans. Culver is also launching an all-share bid for a minority stake in Durham, which has been laid low by legal actions against its Lloyd's insurance broker. The group made a loss of £4.7 million for the 15 months to end-March and sank to net liabilities of £2.3 million. The banks threatened to call in loans, which would have put the company into receivership.

Nomura cuts salaries

NOMURA Securities, Japan's largest broker, has demoted or cut the pay for its three top officials associated with the sale of real estate-backed US bonds without adequate explanation of the risks to investors. Nomura said it would buy back the bonds for 23 billion yen (£18 million) — the original price plus interest — after admitting that it sold them improperly to more than 14,000 investors in 1989 and 1990. Nomura said that Atsushi Saito, executive director, had been demoted, managing director, while Hideo Sakamaki, the president, had taken a 20 per cent cut in pay, and Tadashi Takubo, executive director, had taken a 10 per cent pay reduction — in both cases for a year.

JIB buys Pulford

JIB Group, the international insurance broker ultimately owned by Jardine Matheson Holdings, the Hong Kong-based trading company, is paying up to £6.5 million to buy Pulford Winstone and Tennant, a Lloyd's broker specialising in marine liability. The deal, struck through its subsidiary, JIB International Holdings, is due to be finalised on January 6. On completion, JIB will pay £650,000 in cash with a further £1.5 million to follow within one month. Further consideration of up to £4.35 million in loan notes will be payable if certain revenue targets are met in 1993 and 1994. JIB shares rose 1p to 153p.

Lucas to sell division

LUCAS Industries, the car-to-aerospace-components manufacturer, is in the process of selling its fluid-power-distribution business for an undisclosed sum to Sophus Berendsen, a Danish power distribution group. Lucas Fluid Power Systems employs almost 1,000 people worldwide and has annual sales in excess of £100 million. The sale forms part of a restructuring programme under which four businesses would be sold to raise about £100 million. Lucas Fluid Power Systems is the largest of those. Other businesses earmarked for sale include Autocentres in Britain, a missile-casting manufacturer and the aircraft-transparency operation.

Plantsbrook deal

PLANTSBROOK Group, the funeral services company formerly known as PFG Hodgson Kenyon, is buying Portland Funeral Services for £790,000. Portland, based in Kilmarnock, Strathclyde, carries out 560 funerals a year. The acquisition is being funded from the proceeds of a placing of 3.38 million Plantsbrook shares, raising about £2 million. Plantsbrook said negotiations leading to a second acquisition of a similar size were at an advanced stage and an announcement was expected soon. Plantsbrook shares rose 2p to 62p.

Shandwick bank pact

SHANDWICK, one of the world's leading public relations groups, has signed an agreement with its banks extending its worldwide banking facilities until the end of January 1994. Facilities available in sterling and foreign currencies amount to £69 million at current exchange rates. The group had previously negotiated banking facilities totalling £65 million until March 1992. Net debt is expected to peak at about £63 million at the end of the month. Shandwick expanded hard during the 1980s and has spent the past 18 months slimming down. The shares rose from 8p to 9½p.

Midlands boosted

IMPROVEMENTS in business confidence in the Midlands, with more companies expecting an increase in turnover next year, are revealed in the latest economic survey. While recovery is not in full flight, manufacturing and service companies believe they may be approaching an economic turnaround, according to the survey for the Birmingham Chamber of Industry and Commerce. The survey suggests the past six months have shown a slow but steady gain for business in the region. But while companies expect to see turnover rise in the coming year, it will be on tight margins.

Faupel pegs payout

FAUPEL Trading Group, the Far East trader whose shares are listed in London, held profits almost unchanged at £631,000 before tax in the half year to end-September, against £611,000 in the previous interim period, despite difficult trading conditions. Earnings were unchanged at 5.19p a share and the interim dividend is maintained at 1.85p. Turnover rose from £12.08 million to £13.92 million, although operating profits were almost unchanged at £1 million, against £1.01 million. No recovery is expected in the second half.

Counting the cost of terrorism

Government was right to be wary of taking over the liability to make good damage from terrorist bombs. On top of a proper reluctance to accept new and open-ended commitments on behalf of taxpayers, ministers knew that any concession would also be seen by the terrorists as an encouraging victory, giving them the added incentive that bombs hurt the hated British government as well as "innocent" people. In the end, the damage to business and industrial confidence from losing insurance cover was a much greater threat and realism dictated state help.

The mechanism chosen seems extraordinarily complicated. What the insurance industry really needed was disaster reinsurance on the pattern used for storms and floods. Such arrangements limit any insurer's exposure to a single event such as the City bomb that devastated the Commercial Union building and the Baltic Exchange, which may in total cost more than £700 million. The disappearance of all commercial reinsurance and the involvement of officialdom probably made something more formal inevitable and even necessary. The ensuing scheme, though still lacking some details, passes the most critical test of keeping insurance on an essentially commercial and conventional basis.

Commercial insurers will still cover household risk and basic small commercial risks up to a theoretical combined limit of £500,000 per claim under five separate headings. This should also provide the basis for assessing the larger risks. Unfortunately, premiums on these larger risks will go into a pool, leaving the industry bearing some risk but the government acting as the ultimate reinsurer. This appears to dent the normal commercial incentives, though it is hard to imagine any company foolish enough to chase the market aggressively.

The message is that disorder adds to costs, as businesses forced to pay premiums for premises in sensitive areas will discover. That message is not confined to terrorism. Much of the statistical rises in national income go on security devices, higher insurance premiums and other mundane spending, which are needed to combat the fear of crime but add nothing to the standard of living.

Christmas stocking

Examples of scandal, meanness and ruthless employers are not the only cases relevant to the debate on pensions. The agreement reached by Courtaulds Textiles and the trustees of its pension fund seem to show that repayments of pension fund money to an employer can be perfectly justified. Admittedly, this is an unusual case. The old Courtaulds, which had a well-established and soundly managed fund, used surpluses to upgrade benefits to decent levels from the mid-Seventies. When Courtaulds Textiles was demerged, it did not take any pensioners with it. Continuing surpluses from investment returns and from sharp cuts in the workforce were spread over a relatively narrow base. Benefits have already been upgraded. When the time came to reduce the £59 million official surplus to the Inland Revenue limit this year, the company could reasonably ask for cash instead of notional credits to its profits that helped no one.

In such circumstances, the critical question is who decides. Courtaulds Textiles, though a newly independent company, had a proper old-fashioned structure. The company does have a bare majority of appointees on the board of trustees but rightly required a nine to two majority for a repayment. How different it would have been, or at least looked, if there had been little or no effective employee voice. Even in an honest, well-run pension scheme, the powers and make-up of the board of trustees are vital.

Russia rejects shock therapy for life in the economic slow lane

"I cannot forecast to you the action of Russia. It is a riddle wrapped in a mystery inside an enigma; but perhaps there is a key. That key is Russian national interest."

Winston Churchill, October 1, 1940

Judging by the western response, the emergence of Viktor Chernomyrdin, a former communist apparatchik, as Russia's new prime minister was an unpleasant surprise. But what about the national interest? Whether the changeover from a reformist to a "populist" government is really as catastrophic as has been suggested depends where you stand and who pays your income. The economic radicals and the army of well-remunerated western economic advisers predictably regard the slow-down in reform as the path to Armageddon or, worse, as a return to the old centrally planned economy.

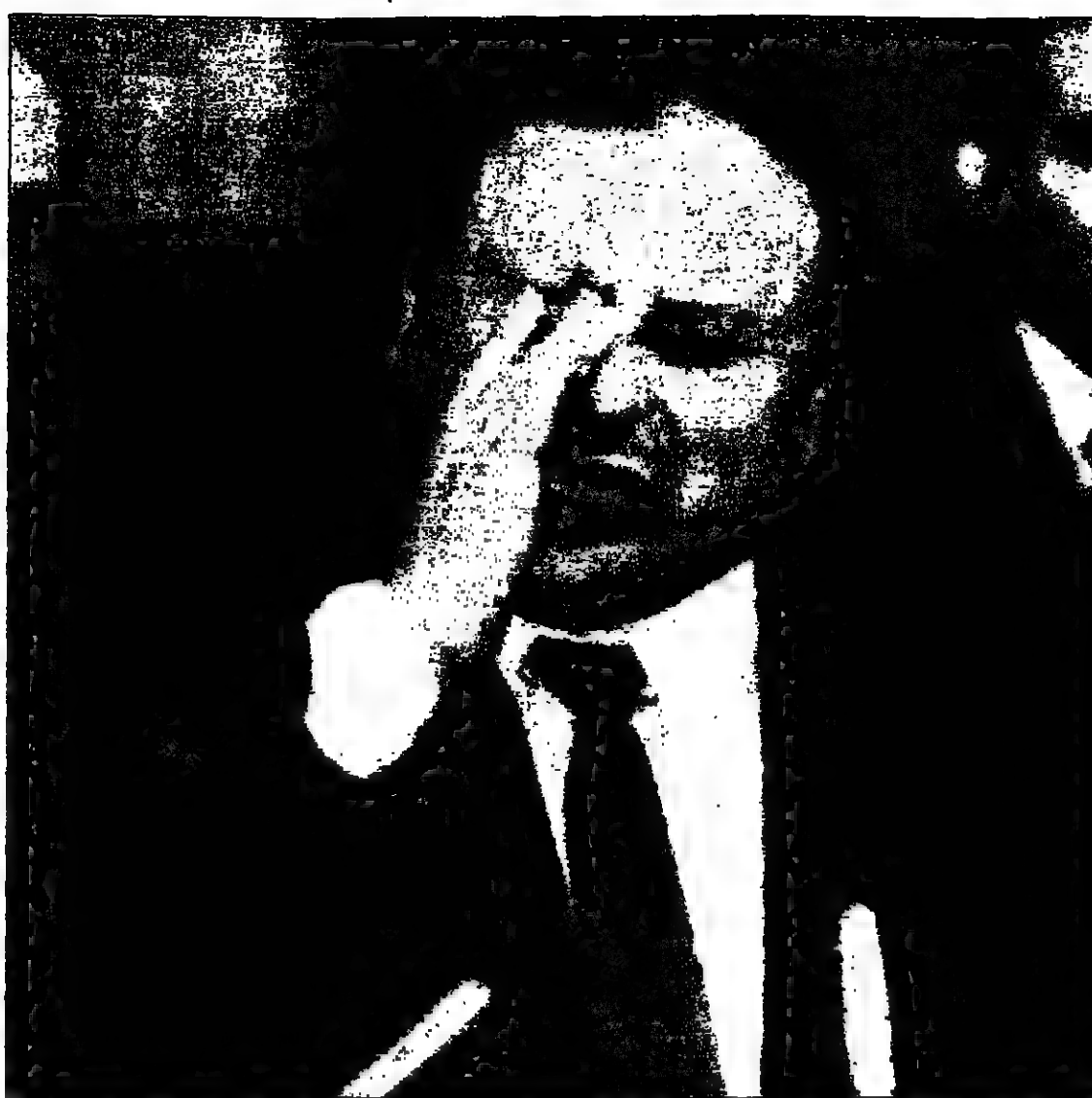
The history of economic reform throughout the world does not necessarily support this rather simplistic view. Speed by itself has not proved a guarantee of success. What we do know is that Russians have lost the zeal of the recently converted, which so characterised the government of Yegor Gaidar, the radical former acting prime minister. This was to be expected sooner or later.

We also know that Russians no longer regard the maxim "if it isn't hurting, it isn't working", as an appropriate way to reform a highly industrialised nation. John Major's maxim suffered a bad year all over the world. In eastern Europe and much of the Third World, the economic philosophy corresponding to this unfortunate expression is "shock therapy", which signifies a policy to achieve the free-market infrastructure in the shortest possible time. As a means of economic reform, shock therapy has been applied in many parts of the world, mostly in return for financial assistance by the International Monetary Fund. Its track record is miserable.

The change of Russian prime minister was, therefore, more important in a negative than in a positive sense, more important in what it rejected than what it accepted. Unlike his predecessor, the academic Mr Gaidar, Mr Chernomyrdin is not an economist, and he has yet to formulate a coherent economic strategy beyond his ambivalent endorsement of "the market but not the free market". In contrast, Mr Gaidar was the archetypal radical, although he had already gone softer several months ago, amid increasing political pressure.

His political demise coincides with the demise of the policies he stood for. At the beginning of the reform process, east Europeans had embraced radical reform as the policy most remote from central planning. When the going got tough, radicalism was dropped in favour of gradualism. The Russian Congress, last week, did only what the Polish electorate did a year earlier.

The essential difference between radicals and gradualists does not lie



If it isn't hurting: Russia's Congress rejects Yegor Gaidar's shock therapy for something more gradual

in the principal willingness to embrace a western-style market system but in a different perception of the behaviour of markets under extreme conditions. The main point of controversy relates, therefore, to how well an economy adjusts to shocks in demand conditions.

One could suspect more fundamental differences, such as the ultimate goal of reform. In general, it is true that radicals prefer the liberal Anglo-Saxon type of market economy, while gradualists have set their eyes on the more corporatist continental-European model.

In the meantime, what matters much more is that the radical reformers have a far greater confidence in the power of the market, not only in principle, but also in the specific case of markets under transition. They concede that by introducing the essential parameters of a free-market economy — free prices, an internally convertible exchange rate, and the phasing-out of subsidies — an orderly market does not come about overnight, and that the "real" economy will still lag behind for a long time.

They differ from the gradualists in their belief that the market itself can

provide the solution. The key to the market-led solution is fast and comprehensive privatisation. The fastest method of them all, adopted by the former government, is voucher privatisation. Vouchers entitle Russians to buy a direct stake in industry through a lottery-like process. They can sell their shares or they can exercise pressure on companies as shareholders. In any case, with the help of efficient capital markets, the right kind of companies should, in the end, attract the right kind of capital.

So much for the theory. This still leaves the problem of transitional slump, and that is where western assistance comes in. Enter the IMF, and the ensuing stabilisation policies. In Russia's case, the result was stagflation: a monthly inflation rate of 25 per cent combined with an annual fall in output of 20 per cent. What the radicals forgot to say when they took power was the capitalist experiment would begin with a 1930s American-style depression, combined with 1920s German-style inflation.

The two great uncertainties about this approach are the time lag, its length and economic impact, and the

risk of market failure. The two are related: the greater the length and impact of the time lag, the greater the risk of market failure. These conditions vary from industry to industry and from market to market, but they have one cause in common — volatility. If production is unstable, if there is political and regulatory uncertainty, if there is a breakdown in law and order, and if there is hyperinflation, free markets are prone to all sorts of abnormal behaviour, such as hoarding or corruption.

Gradualists argue that the two inherent weaknesses of time lag and the risk of market failure need to be accommodated within an overall economic strategy. This has two practical consequences. Macro-stabilisation policies, while still necessary, will have to be conducted with a clearly defined social constraint, recognising that no reform can succeed without sufficient popular support. This could involve a maximum acceptable rate of unemployment or maximum permissible fall in industrial output.

The gradualists' policy also requires greater emphasis on the establishment of functioning market institutions and a legal framework,

important prerequisites for the orderly operation of a free market. In the West, such frameworks have evolved over time; in the East, they had to be introduced overnight. The rise of the Mafia in Russia is testimony to the failure of some of these institutions.

The second important aspect of a gradualist policy is reconstruction. Here, the gradualists will be at their most interventionist. In Russia, the priorities for government-led restructuring are the massive military sector, the energy sector, especially the 24 decrepit nuclear power stations, and food production and distribution.

Most important of all is that the restructuring of the physical economy must go hand-in-hand with market liberalisation. In this case, free markets are not so much the catalyst for change as the end product of change.

This shift in perspective also has important implications for privatisation. Under such a system, the need for fast-track privatisation is greatly reduced. Poland may serve as an example. There, mass privatisation goes hand-in-hand with a so-called sectoral approach, in which government is actively involved in the reorganisation of the sector. This could mean reshuffling companies within a sector and closing loss makers. The remaining companies are restored to a greater level of profitability. This is followed by part sale of businesses to foreign investors, managers and employees, while the government retains a minority stake.

Contrast this with the voucher privatisation system or other fast-track approaches, which all involve selling loss-making companies. In the absence of efficient capital markets, the privatisation of loss makers through vouchers will almost certainly fail to achieve a correct allocation of capital. Voucher schemes also provide extensive scope for fraud.

The history of fast-track privatisation has not been encouraging. In Germany, the Treuhand privatisation agency has been a great disappointment. Industrial output in the former East Germany has plummeted. The mechanism suffered massive fraud, estimated at DM3 billion. West German industrialists have frequently abused the Treuhand mechanism in order to close down east German competitors, even if these companies might otherwise have been viable. Russia could suffer from a similar conspiracy.

But most inauspicious of all, is that the shock-therapy economists have raised false expectations. They have greatly underestimated the time of the transition process in countries with no history of capitalism, and the economic slump that can result from such a transition.

The rejection of radicalism does not mean a rejection of a free-market economy. It means that the process will not happen overnight, nor will it happen via vouchers, via the Mafia or via the Third World.

WOLFGANG MÜNCHAU

THE TIMES CITY DIARY

Christmas cheer at Docklands

IF the number of telephone calls being made to the visitor office of the London Docklands Development Corporation is anything to go by, then the property market could at last be showing the first tentative signs of recovery. Incorporated into the 1,200 or so Christmas cards sent out by Michael Pickard, LDDC chairman, and his colleagues are two versions of *The Twelve Days of Christmas*, one entitled *The Knockers*, with references to nylon turtleneck jumpers and French language tapes, and the other entitled *The Docker*, which refers to "a pair of tickets in a pear tree". Pickard explains: "It follows on from our advertising campaign which separated the 'knockers' — those who are hostile towards Docklands — from the 'dockers', who are supportive of it." According to the small print on the back of the card, recipients are entitled to two free tickets for the two-hour coach tour of Docklands, normal price £5 each. "We have had loads of calls, 30 or 40 already," said a hard-pressed woman in the visitor centre. "They started the day after the first cards were posted." Pickard, meanwhile, reports that interest in other areas under LDDC control have also been attracting renewed interest, with 100,000 sq ft of office space let in the past three months. Texaco and Credit Suisse due to move 3,000 employees into Canary Wharf in the first half of 1993, and a small but noticeable increase in activity in the



"I somehow don't think the legal department will be throwing a party this year"

residential market. "There's definitely more optimism," says Pickard. "Six months ago everything looked pretty bleak."

On the grapevine

THE Scottish grapevine has been buzzing with erroneous talk that Gilmour Thom, a director at Bell Lawrie White, the leading Edinburgh broker, had been suspended on full pay after plotting to move the entire institutional team to a rival firm. Calls to Edinburgh have established that Thom is "away on holiday" until the new year, leaving Colin Telfer, a fellow director, to deny that anything is afoot. "He's not been talking to anyone," says Telfer, while admitting the rumours have caused "a wee bit of trouble" in the last few days. "We'll get to the bottom of this yet," he promises. Roderick Sutherland & Partners, the small Scottish broker said to be the rival in

Turkish haggles

IS there a Turkish bond market? Swiss Bank Corporation says no, but Tereance Pridaux, a director of Kemper Investment Management, says yes, and a case of champagne rests on it. In a competition held by SBC, Pridaux predicted that Turkey's bonds would be star performers in 1992. So they have proved, with yields of 70 per cent, but SBC is disputing Pridaux's claim to the prize on the grounds that Turkey has no bond market. "It's a complete slight on the Turkish nation," says Pridaux. "Turkey has weekly bond markets. The fact that the gains are all but wiped out by 60 per cent inflation is neither here nor there." SBC disagrees, claiming that since neither JP Morgan nor Salomon Brothers include Turkey in their bond indices, it is awarding the champagne prize to Karen Cadley, a fund manager at Legal & General. She forecasts that UK bonds would perform best.

WHEN The Guardian reported interims from South Wales Electricity, it offered what it claimed was the Welsh version of the company's name as an alternative: "Daigianad Tr Wazg or South Wales Electricity." The only problem is that "Daigianad Tr Wazg" is actually Welsh for "press release", while the correct translation of the company's name is, in fact, *Tydan De Cymru*.

CAROL LEONARD

Gas break-up vital for competition

From Professor Colin Robinson
Sir, Sir James McKinnon's suggestion that British Gas should be broken up and, in particular, that there should be an independent gas pipeline and storage system has been greeted with surprise. Yet the proposal seems entirely sensible if competition in the gas market is to develop. In 1985, before gas privatisation, we proposed to the Commons energy committee a structure for the privatised gas industry consistent with the proposal now made by Sir James. It still seems appropriate. The industry would consist of a number of local or regional gas-distribution companies (either regulated or franchised) and a separate pipeline company (either publicly or privately regulated or franchised). Gas production (unregulated) would be in the hands of private companies, as it has been since the first discoveries of North Sea natural gas in the 1960s. But, so that the producing companies (and gas importers) can compete to supply the British market, an independent pipeline system is required to provide direct access to larger consumers and indirect access (via local distributors) to smaller consumers; eventually, even smaller consumers may have a choice of supplier. A pipeline owned by one of the players has no part in a competitive environment.

Privatisation of British Gas as one unit (including the pipeline network) was a serious mistake. Adoption of the separate pipeline proposal is essential if Ofgas is to continue its attempt to realise benefits for consumers from a poorly devised privatisation scheme. Yours faithfully, COLIN ROBINSON, Professor of Economics, University of Surrey, Guildford, and Editorial Director, Institute of Economic Affairs.

Watchdog's recommendations welcomed
From Mr Sydney Shenton
Sir, The gas watchdog's recommendations may cause some concern to gas shareholders and arouse the anger of the management but is to be welcomed by customer and the country at large. The operations of the private public utilities have been giving increasing consideration for some time. Emphasis on short-term profit and the interests of the equity holders and operators have been achieved at some cost to the consumer and long-term interest of the nation. Lack of energy policies and strategic considerations have been harshly revealed coinciding with soaring profits at a time of severe recession. Similarly with water, which whilst

Hard work to buy computer hardware

From Mr Colin Hull
Sir, I refer to Alan Pardoe's letter (December 18). My own experience supports Mr Pardoe's suggestion that the computer industry is not suffering from the recession. I recently set up in business on my own and I needed some computer equipment. I knew what I wanted, including the make of the products and the cost, about £6,000. The hard part was finding somebody to sell me the equipment. The manufacturer had four authorised dealers in my area. I telephoned them all on a Saturday. Not one of them was open and none had an answering machine. The following week I faxed all four with my requirements. Two did not respond, one would only sell me the equipment if I intended to buy an accounting system with it and the fourth left a message saying they could not deal with me because their credit terms were too strict (although I had not mentioned method of payment). Eventually I found a dealer many miles away that would sell me the equipment. Their service fluctuated between being very helpful and efficient to not particularly efficient. As was the case with Mr Pardoe, the goods were dispatched only on my cheque clearing, leaving me to run the risk that the dealer might go bust prior to dispatch. By this time, however, I was so desperate to get my hands on a machine I went ahead and collected the goods personally. Yours faithfully, COLIN HULL, CCH & Co, Corporate Tax Specialists, 231-233 High Street, London Colney, St Albans, Hertfordshire.

Let Post Office deliver the goods, not papers

From Mr P. M. Elton
Sir, So Chris Philip wants the Post Office to deliver newspapers (Business Letters, December 16). Heaven forbid! Like him I live in a rural area. Unfortunately my address is poorly served by the Post Office letter delivery service. I never know from one day to the next when letters will be delivered. Delivery times vary anywhere in the range from 8 am to as late as 4.45 pm. For reasons known only to the Post Office some parts of this village get a better service including a second delivery. Not this address. To compound the problem, in addition to delivering letters, the postman also delivers

advertising material such as promotional leaflets for football pools. Obviously, whilst providing extra income to the Post Office, this makes the letter delivery times even more erratic. All this "customer", to use the current Charter jargon, requires of the Post Office is for it to deliver letters on a reasonably regular basis and at a reasonable time of day. No advertising and certainly no newspapers, not even *The Times*. Yours faithfully, P. M. ELTON, 7 Anglesy Place, Great Barton, Bury St Edmunds, Suffolk.

Banks must guard against complacency
From Dr B. R. Middleton
Sir, The chairman of Midland Bank says (December 16): "We must guard against complacency being done to the banking industry by unfounded criticism." No doubt, but the banks should also guard against unfounded complacency. My own bank, Barclays, tells me cheques take seven working days to clear before cash can be drawn on them, as I found to my

temporary embarrassment today. Perhaps Sir Peter Walters could persuade his colleagues to install some up-to-date technology. Yours faithfully, B. R. MIDDLETON, 17 Edenhurst Avenue, SW6.

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Profit taking hits Dow

New York — Wall Street shares were lower in early trade, falling on profit taking.

The Dow Jones industrial average was down eight to 3,305 at one stage, while in the broad market declining shares led gaining issues by three to two.

Tokyo — Shares ended mixed, giving up earlier gains. Profit taking after Friday's rally and position clearing by dealers

ahead of the year end hit the market. The Nikkei average was down 35.30 points to 17,645.44.

Frankfurt — German shares climbed to a two-week closing high as strong buying from the futures and options market, along with year-end short covering, lifted prices. The Dax index rose 23.54 to 1,515.58, its highest close since December 7. (Reuters)

uots group, climbed 19p to 390p as investors began banking on 1993 being a recovery year for the group. Strauss Turnbull, the broker, seems to think so and has nominated Redland as one of its companies for the new year.

The group remains big in Germany and this has cushioned it to a certain extent from the effects of the building slump in this country.

Shares of Savoy A, the hotelier, surged 73p to 633p in a thin market on revived talk of a bid for the company. Forte, up 8p at 180p, owns the majority of the shares in issue, but fewer than 50 per cent of the votes.

[illegible]

Bilco	486p (+45p)
Sieba	430p (+10p)
SmithKline	514p (+12*ap)
TT Group	205p (+10p)
Lloyds Abbey	416p (+15p)
Sun Alliance	355p (+11p)
Carlton Comm	764p (+15p)
Euro Disney	740p (+10p)
FALLS:	
Manpower	886p (-77p)
JW Spear	300p (-30p)
Wellcome	898p (-10p)

Closing Prices: Page 21

Court of Appeal

Negligence not apt for suing over reference

Although the principle of natural justice required reasonable suspension in the minds of the disinterested men to be assigned, the applicants' proposition was unworkable in its width.

LORD JUSTICE DILLON said that in *Westminster City Council v. MacLennan* (1969) Lord Bridge of Leigh had said (at p678) that since the issue of costs remained at large, he could not be said that there was no sufficient to keep the appeal alive.

It followed that the judge below had jurisdiction to entertain the proceedings and to decide the substantive question to determine the liability for costs. If the applicant was anything more than as high as they claimed to be, it had been an injustice to them if the judge had refused to hear the case because it only concerned costs.

If the judge was both entitled to hear the case and to decide it, it was more difficult for the Court of appeal to refuse to hear an appeal, if whichever side, from the judge's decision when the stakes were now high, was to be disappointed. If needed, had been granted, then the court should entertain the appeal and decide the substantive question.

It is a common ground that a planning committee deciding on a planning application had to abide by the requirements of natural justice; it was exercising a discretion; it was of the nature of a judicial decision. Cf. *Ex parte Thornton* [1933] 2 KB 696.

In his Lordship's view, for a judge to sit as a member of the planning committee considering a planning application, was a substantial residential development by another builder or developer would inevitably and reasonably give rise to (a) belief in disinterested men who were opposed to the proposed development that the planning committee would see at that colleague or the developer

Spring v Guardian Assurance plc and Others
Before Lord Justice Glidewell,
Lord Justice Rose and Sir Chris
topher Slade
[Judgment December 10]

As a general proposition, the giver of a reference owed no duty in the tort of negligence to the subject of the reference. If duty in the subject was governed by and lay in the tort of defamation.

If it were otherwise the defence of qualified privilege to an action for defamation where a reference was given, or the necessity for the plaintiff to prove malice in the action for malicious falsehood, would be bypassed.

The Court of Appeal as held in a reserved judgment allowing an appeal from a decision of Judge Leaver, QC, sitting as a judge of the Queen's Bench Division (The Times February 10) finding the defendants, Guardian Assurance plc, Cornium Holdings Ltd, Cornium Mortgage Services (Cirencester) Ltd and Guardian Royal Exchange Assurance plc, were liable in damages for negligent misstatement to the plaintiff, Graham Spring, for giving him a bad reference.

Mr Bernard Livesey, QC and Mr Witold Pawlak for the plaintiff.
Mr David Eady, QC and Mr Gerard Clarke for the defendants.

LORD JUSTICE GLIDEWELL, giving the judgment of the court, said that the plaintiff worked for the Cornium companies and that shortly after

you can offend

the sale of these companies to Guardian Royal Exchange (GRE) in 1987.

He attempted to set up a business elsewhere selling the products of another insurance company, Scottish Amicable, which involved a reference being supplied by GRE to ScotsAmicable under the Lauro rules.

The reference given about the plaintiff was to use Judge Leavelle's words "so strikingly bad as to amount to . . . the 'kiss of death' to his career in insurance. Scottish Amicable wanted no truck with the man it described".

The reference found that the plaintiff was a fool and not a rogue and, therefore, that the passages in the reference which asserted, or from which it could only be inferred that he had acted dishonestly were untrue.

The reference, while riddled with obvious falsehood had been made and the plaintiff had been told that there had been negligence in the preparation of the reference.

A direct decision in favour of the plaintiff on the issue of negligence was that the Leavelle v BOC Trust Ltd (1987) 1 CIL 1000 (Transhield Ltd (1987) 1 CIL 1000) where Mr Justice Tugendhat held that the defendants did owe a duty of care to the plaintiff in compiling and giving a reference and that they were not in breach of their duty.

In *Bell-Bell Group Ltd v AG* [1989] 3 NZLR 148 the New Zealand Court of Appeal allowed an appeal against a finding of negligence in an action for defamation and negligence in the

alternative. Sir Robin Cooke, President, concluded his judgment by saying: "... in our opinion negligence does not require or warrant an imposition of negligence law into this class of cases. Where remedies are needed they are already available in the form of actions for defamation, injurious falsehood, breach of contract or breach of confidence. Accordingly the kind of duty of care and breach and the award of damages for negligence [will be] set aside."

In their Lordships' view the decision in that case represented the law of England.

As a general proposition, the giver of a reference owed no duty of care in the tort of negligence to the subject of the reference. His duty was governed by and lay in the tort of defamation.

If it were otherwise the defence of qualified privilege in an action for defamation where a reference was given, or the necessity for the plaintiff to prove malice in an action for malicious falsehood would be hypsoysed.

It is by a substantial section of the law regarding these two associated torts would be emasculated. It followed that Mr Justice Tudor Evans was wrong in *Lawton v BOC Transfield* to hold that the defendants owed a duty of care. It appeared from the report of that decision that there was no discussion during the hearing of the relationship between the torts of negligence and defamation.

Solicitors: Ringrose Wharton & Co, Bristol. Clifford Chance.

Accused of to law

committee hearing the application of a rival builder carrying on business in the same area was too wide. In effect such a builder

In certain respects the commissioners had put the matter somewhat unhappily: the issue for them was not stated with complete accuracy. But reading the case as a whole it was misleading and unfair to the commissioners to say that they had addressed their minds to the wrong question.

Looking at it in the round it clearly showed that the commissioners were not prepared to accept the taxpayer's evidence that he had acquired the property as a private residence and they were entitled to conclude that the profits from the sale arose from his building trade and were taxable accordingly.

Her Ladyship recognised the danger of corruption or impropriety in an area of local government where applicants stood to gain great rewards from successful applications, but there was always the risk of pressure or influence or personal interest which might not necessarily be restricted to builders or surveyors or similar occupations.

If the test of bias in *Lannon* (at 500) was applied, the answer could have been that the councillor should not have sat on the applicants' planning applications. The dangers of corruption in local government were great, particularly in the field of planning. It was important to underline the principle that justice could be seen to be done. The councillor might indeed have been honest and in no way biased, but the appearances were against him because of the nature of his job.

Solicitors: Stamp Jackson & Cocher. **Hull:** Mr R. Wade. **Hull:**

Before Lord Justice Russell, Mr Justice Binfeld and Mr Justice Atkinson
Reasons December 10]

Where a defendant was charged with causing grievous bodily harm with intent, contrary to section 18 of the Offences against the Person Act 1861, it was not open to the jury to acquit him of that offence and convict him of causing grievous bodily harm, an offence not known to the law.

The Court of Appeal so stated when giving reasons for allowing, in December 7, the appeal of Andrew John Field against his conviction on March 31, 1992 at Inner London Crown Court Judge Pryor, QC and a jury of

appear below, assigned by the Registrar of Criminal Appeals, for the appellant: Mr. W. N. McKinnon for the Crown.

LORD JUSTICE RUSSELL.

Giving the judgment of the court, I said that the judge had directed the jury that there were three possible verdicts: (i) guilty as charged, of causing grievous bodily harm with intent; (ii) not guilty as charged, but guilty of causing grievous bodily harm; (iii) not guilty.

That left for the jury's consideration an offence unknown to the law, namely causing grievous bodily harm.

The jury thereupon acquitted the appellant of the offence charged and purported to return a verdict which was not open to them.

one count and did not contain particulars of the manner in which the harm had allegedly been caused.

Their Lordships took the view that the jury would not have been at liberty to return an alternative verdict of unlawful wounding or of assault see *R v McCrady* ([1978] 1 WLR 1376).

By parity of reasoning, their Lordships did not think that the jury would have been at liberty to return a verdict of inflicting grievous bodily harm, contrary to section 20 of the 1861 Act without a second count under that section being added to the indictment or particulars of the manner in which the harm was caused being added to the first count.

Solicitors.



ARTS



The bible of top Cs, from A to Z

Crafty way to survive

● ONE of Europe's most important art collections goes back on public view this week. The Semper Gallery in Dresden is reopening, after being forced to close in 1988 when the building was deemed a fire hazard. The collection was built up by the hugely wealthy dukes of Saxony and concentrates on European paintings of the 18th and 19th centuries. There are particularly fine examples of the Dutch and Spanish schools but the collection also boasts some priceless Dürer. The paintings were stored in mines outside the city during the war and thus avoided the destruction inflicted upon Dresden by Allied bombs.

HANSEL AND GRETEL is an opera with a doppelgänger: alongside its gentle *gemütlich* charm strides the cruelty inherent in any folk-tale. David Pountney's brilliant English National Opera production catches both the charm and the horror, creating a memorable "cruel mother" figure out of the Witch. The last two performances are the matinee and evening at the Coliseum (071-836 3161) tomorrow; Donald Maxwell's ebullient Father and Lionel Friend's sensitive conducting are common to both.

The statistics are dizzying. There are 1,800 opera synopses ("1,500 more than *Kobbe*" — a gleam of satisfaction in Sadie's eye), entries on 2,900 composers, 2,700 singers, plus conductors, directors, designers, administrators and even the odd critic. That is just the dictionary part: amongst the 5,040,000 words — more than the £327,000 promised by the public-

[illegible]

When I suggest that this is an encyclopaedia, or everything you always wanted to know about opera but didn't know whom to ask, Sadie demurs. "We always wanted to avoid that word. An encyclopaedia claims to give information in a closely interrelated, all-embracing fashion, whereas a dictionary is something that you want to look things up in, and we were deter-

— hence Barry Millington on Wagner, Roger Parker on Verdi, Julian Rushton on Mozart (Sadie's own field) and Anthony Hicks on Handel. Work-lists and bibliographies, prime fodder for academics and hacks on the look-out for cribs, have respectively been polished and

Amanda Holden also links her dictionary to ticket prices. £60 for *POG* isn't much more than the best amphitheatre seat at the Garden, and less than two good stalls at the Coliseum. Her book has no encyclopaedic pretensions: entries are restricted to composers and their operas — no singers, conductors or designers. A total of 810 composers and all their works are covered in more than a million words by 110 contributors. It is, says Holden, "written by experts for the person on the Clapham omnibus. It isn't stuffy. Some of the synonyms are

POG, then, in the nature of a handbook, as its title suggests, those thinking of putting on *Gismonda di Worms* will find out whether or not it needs a helicopter, how long it lasts and who publishes it. It may also, given its completeness, prove that it is still pretty difficult to invent a Donizetti opera — he nearly always got there first.

Such is the interest in opera nowadays compared to ten years ago that the confidence of Macmillan and Penguin/Viking is probably justified. I can only say that I use *ODO* every day of my working life, and have to discipline myself to

Of course there are mistakes in *Grove* and *ODO*, as there will be in *POG*, and a certain grim satisfaction in spotting them, but that is the nature of the first editions of all works of reference. When second corrected editions come along, we will all have to go through the same agonising decisions as to whether or not we have to buy them. Surely that will not be for quite a few years to come.

Win a night with Carreras

in aid of the Australian Musical Foundation in London (of which the Prince of Wales is patron in chief) and the José Carreras International Leukaemia Foundation.

● If you are tempted to join us, first answer these three questions associated with the gala evening:

- 1 In which role, opera and year did José Carreras make his debut at the Royal Opera House, Covent Garden?
- 2 Who was the choreographer of Pineapple Poll, the ballet for which Sir Charles Mackerras arranged the music?
- 3 Which work had its London première at the Theatre Royal, Covent Garden, on March 23, 1743?

Now, if you know the correct answers, simply phone them in on the number below. Normal Times competition rules apply.

up to midnight on December 29
(Calls cost 36p per minute cheap rate,
and 48p per minute at all other times)

● If you would like to guarantee seats at the gala evening, either call in person at the Royal Opera House Box Office, 48 Floral Street, London WC2E 7QA (10am-8pm), or telephone 071-240 1911, quoting "Australia Day Gala Times Offer". Tickets for the orchestral stalls cost £75 each and, exclusively for Times readers, the price includes pre-concert drinks and canapés, and a complimentary gala souvenir programme worth £10.

Bank on blood to keep them watching

With her television version of *The Vampire*, Street-Porter wants to strike a blow against "horrible" arts programmes. "Producers telling you the way you should like the arts, for your cultural health's sake. It's a load of cobblers. I wanted to take high art and show that it could be made to appeal to ordinary viewers, so we took the highest, opera, and gave it the *EastEnders* treatment."

There is more opera on television than ever. At October's arts and broadcasting conference in Brighton, Richard Eyre described most of it as being like office panto in the works canteen. None gets huge audiences, but Street Porter is planning on a million viewers, three times what opera can usually expect. There is talk of *The Vampyr* being given a cinema showing in Australia, and even of a stage treatment, to be produced by Cameron Mackintosh.

This is a vampish story



Omer Ebrahim as the Vampyr, with one of his victims, Fiona O'Neill, in *The Vampyr*

This vampire saunters undaunted in the sunlight, enjoys the running water of a shower and is careless of silver crosses and cloves of garlic. This vampire is also a gambler on the money markets, a *bon vivant* in the high life. Even his caracomb is a penthouse flat. "The path we took wasn't

really straight," sings his business partner and eventual vanquisher. "We turned late white dust into real estate."

Our post-Thatcher vampire, Ripley, is a guest at a sculpture private view (filmed, suitably, at Damien Hirst's horrid and acclaimed exhibition at the Saatchi Gallery) at which the guests are served canapés of raw goat's eyes. They file into another room where a white coven is presided over by a black witch (played by a transvestite called Winston). Ripley, played by Omar Ebrahim, is told that to buy more time on earth he must seduce and kill three women in three days.

There is a familiar ending to many of the scenes, according to the crew's day sheets: "bonking a vampire." There is a good deal of both, which is why the episodes will not be

seen until 9pm. Nudity was a problem for the singers — "Not for the women," says Street-Porter. "It was the men who were worried about the size of their bottoms."

The piece was found for Finch and Street-Porter by Robert Chevara of Opera Factory, of which Street-Porter is a board member. Chevara offered Rossini, Puccini, Cavalli and Ravel, but *The Vampyre* had the right ingredients.

The total cost of the six-part mini-series is about £1 million, nearly all of it borne by the BBC. It was to have been a joint production, but record companies refused to join because the libretto was not in the original German, and the Dutch television company drowned out just before shoot-

ing began. Costs had to be shaved, sometimes creatively. Instead of Ripley's horrific car crash injuries disappearing in a "mixing out" effect, Finch decided to make him simply have a shower, literally washing his wounds away. But the car wash scene, in which Ripley's Rolls-Royce boot opens for thousands of gallons of water to scrub out his

Finch thinks they will still be editing on Christmas eve because of the complexities of the programme. Opera on television has usually been either a studio-made production or broadcast from the stage: much more rarely has an opera been given the location treatment of a drama series.

Making the music conform to the half-hour episode format was one of the most difficult tricks, but the score, under the musical direction of David Parry with the assistance of Paul McGrath, has not been tampered with at all. "The music is very inflexible," says Finch. "If you want to change a shot you have to do it

He uses what he calls clichés from not only the soaps, where a life's worth of drama gets crammed into an episode, but from rock videos; placing his action in familiar places. "I needed a story that viewers could get into and which would hold them, and plenty of sex and violence," explains

Finch.
"But I needed the music, and the Marschner score is full of great arias and wonderful tunes. We're calling it a soap opera, but it's going to be in the *Twin Peaks* category."
● The *Vampyr* is to be broadcast on BBC 2 over six nights, beginning on December 29 at 9pm

LONDON

LONDON CITY BALLET: The American ballet of Barbara Allen, combining romance, tragedy and superstition, is the inspiration for Jack Carter's ballet, *The Witchery*, the highlight of the company's latest season. Also featured are Ashton's *Les Patineurs* — fun on skates in Victorian England — and Lancelotti's humorous *Grandmother*. Bal, Stephen Jeffries, principal of the Royal Ballet, will be guest dancer tonight and tomorrow. *Sadder's* Wells, Rosemary Avenue, EC1 (071-278 8918). Tonight, tomorrow, 7.30pm, male today, tomorrow, 2.30pm.

THE SIXTINE: The over-reliable choir and orchestra of The Sixtine under Henry Christoforou, performs Beethoven's *Christus* (parts 1-3) and the Brandenburg Concerto No. 3. The soloists are Linda Russell, Catherine Wyn-Rogers, Mark Padmore and Michael George Tomorow, they perform parts 4-6 together with Brandenburg Concerto No. 2. St John's, Smith Square, London SW1 (071-222 0811), tonight, tomorrow, 7.30pm.

ENGLISH CHAMBER ORCHESTRA: A strong line-up of soloists — Anne Howells, John Mark Ainsley, Willard White and Thomas Allen — join the Tallis Chamber Choir and the ECO under

TODAY'S EVENTS

A daily guide to arts and entertainment compiled by Karl Knight

Jeffrey Tate for a timely performance of Beethoven's *Symphony No. 9* at the Barbican, 8.15pm, London EC2 (071-499 8811), 7.30pm.

EXTREME: The American heavy rockers lost a rousing, solid rock with melodic structures: the Los Angeles band Hardline get second billing. Wembley Arena, Wembley, Middlesex (081-800 1234), tonight, tomorrow, 7.30pm.

REGIONAL

BIRMINGHAM: One of the Barber Institute's masterpieces is Poussin's *Tamara and Emile*, showing one of the most famous moments from the famous romance. In this splendid show entitled *Dangerous Liaison* it is surrounded by a larger version of the same composition borrowed from the Hermitage, and 13 other works by the master, including the *Deposition* from the Hermitage and loans from Dutch, the National Gallery and the museum at Caen. The theme is also pursued through the works of Poussin.

THEATRE GUIDE

Jeremy Kingston's assessment of the shows in London

House full, returns only
Seeds all prices

KISS OF THE SPIDER WOMAN: Tremendously glossy production of the Harold Pinter play. It concerns a woman who makes a killing when she is bitten by a spider.

LOST IN YONKERS: Tawny Torrence's play about a man who is a Neil Simon comedy more weighty than usual. Mousie Lipton gives good value on a happy note.

CAROUSEL: Joanne Farrow and Michael Hayden star in a triumphantly revised version of the musical. National (Lyttelton), South Bank, SE1 (071-222 2222), Mon-Sat, 7.30pm, male Wed and Sat, 3pm, 10.15pm (closed Christmas eve and Christmas day).

CYRANO DE BERGERAC: Robert Lindsay looks as the neatly changed but the production is too busy to give enough room to the play's poetry of his life. Theatre Royal, Haymarket, SW1 (071-580 8801), Mon-Sat, 7.30pm, male Wed and Sat, 3pm, 10.15pm (closed Christmas eve and Christmas day).

HAY FEVER: Very funny performances but always where you expect it. Comedy of the week. Apollo, Shaftesbury Avenue, W1 (071-484 5070), Mon-Sat, 8pm, male Wed, Sat, 3pm, 10.15pm (closed Christmas eve and Christmas day).

IT RUNS IN THE FAMILY: Larin in the hospital common room, mission outaged, common room, mission outaged. Comedy of the week. Apollo, Shaftesbury Avenue, W1 (071-484 5070), Mon-Sat, 8pm, male Wed, Sat, 3pm, 10.15pm (closed Christmas eve and Christmas day).

AN IDEAL HUSBAND: Anna Carter, Hannah Gordon and Martin Shaw in a fine production of the play. Apollo, Shaftesbury Avenue, W1 (071-484 5070), Mon-Sat, 8pm, male Wed, Sat, 3pm, 10.15pm (closed Christmas eve and Christmas day).

THE FINE AND FINE OF LITTLE VOICES: Anne Stedman and Jane Howells in a fine production of the play. Apollo, Shaftesbury Avenue, W1 (071-484 5070), Mon-Sat, 8pm, male Wed, Sat, 3pm, 10.15pm (closed Christmas eve and Christmas day).

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THEATRE: Jeremy Kingston enjoys an unusually light-hearted play by Lope de Vega

Crazy gang on the Costa Blanca

Madness in Valencia
 Gate

THE six-month season of "Plays for Europe", four of them British premieres, ends on a high note with this dashing production of a Lope de Vega, written around 1600, yet astonishingly modern in its concern to mark the warring boundary between sanity and madness.

Lope is perfectly clear what causes madness in his gallery of bustling characters: love, or more precisely, jealousy. Elsewhere in his works such matters are treated as subjects for high drama, revenge and general calamity; here, they are materials for mirth — not for the distraught lovers, it is true, who all go into fits.

Lope himself had been exiled to Valencia after a more than usually complicated romantic tangle — so unlike the home life of our own dear Bard — and it is to this same city that Floriano flees after killing his rival in love, no less a person than the king's son and heir. Erifila has also made her way there, having professed (to escape her father) love for her servant, who promptly steals her jewels and most of her clothes. Valencia was the first European city to have a sanatorium where attempts were made to cure the mad, and Floriano and Erifila take shelter there, instantly falling in love with each other. Everyone falls in and out of love at the drop of a sonnet, generally exclaiming, "I have never seen such perfection!"

Both pretend to be mad; two other women fall for him and affect madness so as to stay in his company. Two men fall for Erifila but remain sane. Genuine madmen are also present,

IN A darkened room in the Icon Gallery, Birmingham, pendulums swing over debris-littered tables; a big brass wheel notches round bit by bit, making tiny spotlights glare through reed glasses full of water, so that the activity of bubbles within, or pins made to jump by magnetism, is projected as enlarged shadows onto eight tall metal sheets that curve restlessly back and forward. These moving sculptures are by Jean-Pierre Saint-Roch: the soundtrack of weird noises and voices by Alain Baumann.

This is the heart, and the most interesting part, of a four-room installation, *Memoria*, by Rosa Sanchez, which takes its themes of alchemy, remembering and forgetting from the novel *One Hundred Years of Solitude* by Gabriel Garcia Marquez. Commissioned by the Icon Gallery, it is there until January 5 and will go next spring to Leicester, Nottingham and Portsmouth.

In each city it becomes, for a few



Lively lovers: Erifila (Caroline Loncy) and Floriano (Simon Kunz) in *Madness in Valencia*

one of whom claims to be Don Quixote and the other his creator, though the dances suggest this is a bit of translation's licence on the part of David Johnston, who has provided this robust and eminently speakable version. The doctor, who is clearly madder than his patients, may be director's licence on Laurence Boswell's part, since his lines could well be delivered straight and not from a constantly acrobatic actor.

Boswell comes up with a really clever

way to stage the rapid sequence of confrontations. Three pairs of black curtains hang across the stage, strongly crossed by Paul Russell, and these are whisked open and shut to depict or reduce the acting area and to provide abrupt exits, sudden re-entries and next jokes, with shoes protruding beneath them. It is a touring theatre's equivalent of a fancy stage with seven doors.

The zestful company of nine includes

the alert Erifila of Caroline Loncy, eyes blazing when jealousy assails her, a pawky, knowing Warden from John Stratton, and an exceptionally strong and tormented Floriano from Simon Kunz. Across his gaunt El Greco face, part martyr, part demon, wild smiles go flashing while his voice expresses the agitation of his heart. The flowerbedecked costumes of the Holy Innocents' Day parade (by Rae Smith, assisted by Lucy Nilas) are amazing

Alchemy produces the odd nugget of real gold

DANCE: In Birmingham, John Percival reviews a multi-media show based on a Marquez novel

night, part of the project *Déjà-Vu* involving two activities and two venues. During the afternoon or early evening, the five dancers of Motionhouse perform episodes related to Marquez's book within the installation; then they and the spectators adjourn to a nearby theatre for a separate but related dance performance, *Acroadio*.

In Birmingham the theatre is the studio of the Dance Centre, which is situated above the spacious entrance foyer of the Hippodrome Theatre.

The dance images in the gallery are short, sharp and intense. A man and

woman indulge ambiguously in love-making or fighting. Two women go through a life cycle from foetus to growth to death. Then everything turns violent: two men, one apparently wounded; a blind girl discovering blood on the wall; a man pretending to masturbate; all the dancers throwing themselves about and finally pretending to expire.

Elements from this recur, recycled into milder forms, in *Acroadio*, where there are also suggestions of family life and of a primitive culture confronting civilisation as lizard-like creatures with

body tails either over a floor covered in garden compost. The laying of tale-dolls is a recurring obsession, replaced at the end by the same action with gravecloths.

Earnestly solemn acting alternates with sequences of sliding, juggling, catching and falling. The movement vocabulary begins to look more and more limited as the piece goes on.

Rosa Sanchez's set design is the strongest element: it consists of notable wooden tables and a pole that seems to be a totem, a chimney or a cross — not apparently related to the gallery installation. Jazzy music by Harry Dawes and Ray Lee provides contrasting background.

Acroadio will also tour widely on its own; although relevant to the gallery work, it may actually look stronger given separately without that more intense preliminary experience. Digital and the European Arts Festival are among a dozen sponsors and supporters acknowledged.

ORCHESTRAL MUSIC: Stephen Pettitt warns would-be stars that updating your image is not enough

Good looks, bad sounds

they play only averagely well.

They began this concert, after the conductor Charles Hazlewood's confident if lengthy explanation of the piece, with Mozart's *Sinfonia Concertante*, K297b, the one for four winds. Not much you can do with that, you might think, except play the damnable thing, Eugene Feld, Robert Ault, Mike Roper and Rosie Pagen duly did more or less efficiently, though without once making the spine bristle at the elegant incoherence of it all.

Less we should become bored, there were always the fairly-lights draping each music stand and a light show evoking a nocturnal sky and bathing the players in various colours to look at. Those things I could bear, even enjoy: they lent the work an appropriate diverting-like flavour. But someone had thought it a good idea to enliven the finale — such boring variations, you understand — by employing some poor child dressed in (I think) period-style party toots to bring on a birthday cake and attach balloons to music stands. The stomach churned and the ears abruptly turned off.

Eos/Hazlewood Queen Elizabeth Hall

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Thanks to elaborate stage arrangements, we were nearly an hour into the concert when Eos made an even greater faux pas. Barry Adamson, a former rock musician, has contrived to compose a score called *A New Beginning* to accompany a new film by Derrick Santini called *Eos* (the title is synonymous). The film, which is black-and-white after a miserable, deserted man who visits the garden of some stately home and turns into a statue, has some nicely angled shots but is otherwise dull. The music, impoverished in ideas and incompetently scored, is simply awful.

If Eos is to make a name for itself, must learn that it can only experiment with materials of basically sound quality. As it was, after this work I could bear no more.

ENTERTAINMENTS

ART GALLERIES

PARTON GALLERY 11, Molesworth Street, W1 (071-580 8801). *Paintings by Picasso, Matisse, Dali, etc.*

ALFRED HITCHCOCK 11, Molesworth Street, W1 (071-580 8801). *Paintings by Hitchcock, etc.*

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OPERA & BALLET

COLONEL MURPHY 11, Molesworth Street, W1 (071-580 8801). *Opera by Murphy, etc.*

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THEATRES

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Even in the depths of a recession, the Christmas card market is booming. But why, asks **Richard Cork**, is the selection of available images so dreadful?

Kitsch is on the cards at Christmas

Of all the Yuletide products guaranteed to send me into a Scrooge-like paroxysm of bile, Christmas cards must surely be the most nauseating. Rank upon rank of their remorselessly jolly images fill the high-street shops, vying with each other in a shameless attempt to arouse our most saccharine emotions.

No doubt realising that the contemporary world has little to offer as seasonal cheer, many of the card manufacturers rush back headlong into a grossly sentimentalised version of Christmas Past. The shops are awash with soft-focus visions of Christmas as a perpetually Victorian event, replete with shining eyes and period accessories. Justly forgotten artists are resurrected for the purpose.

Only occasionally does the festive mood give way to a more sombre note, and even then misanthropic hovers like a spectre. In J.C. Dollman's *A London Cabstand*, two exhausted horses stand in the slush. One of them stares down disconsolately at an empty nose-bag on the road — a detail calculated to tug at the heart-strings of all socially concerned Victorians. But I doubt if today's card-fanciers would regard the animal's plight as anything more than a wistfully picturesque scene.

Judging by the other historic paintings on offer, piety and merriment are the only options. Unless you go to the National Gallery or the Tate, where a far wider range of pictures is available, Murillo's cloying *Virgin and Child in Glory* sums up the emphasis on suffocating devotion. The other kind of old master permitted shelf-space is the Flemish ice-skating scene. But instead of choosing an example of Breughel the Elder, who handled the genre with overwhelming vitality, the card-makers have plumped for Breughel the Younger — a painter capable only of reducing his father's inventions to the level of wearisome cliché.

Modern religious paintings are mercifully hard to find. If Noel Syers's unspeakably sugary nativity is anything to go by, with its lipsticked virgin and sad-eyed donkey, we are lucky to be spared them. But there is a horrifying abundance of secular alternatives. How about Simon Elvin's jumbo-size offering, lined with glistening gilt and even sporting a gold tassel, which accompanies a kitsch painting of a stage-coach rolling past half-timbered houses with the blatant message "Just For You At This Sentimental Season"?

Then there are the beribboned cats and kittens, all nestling in a fluffy heap beside heart-shaped

presents and a cherry-coloured necklace. Or the so-called musical card, which opens to reveal a badly drawn Christmas tree with only three flashing red lights, pathetically accompanying a joyless version of *Jingle Bells* which ends as abruptly as it begins. You can buy this execrable item for £1.79. And a hefty £3.60 will secure the optimistically entitled *Explosive Pop-Up*, an "elaborate 3D Greetings Card" which, claims Second Nature Ltd, is a "miracle in paper engineering". Buyers will be underwhelmed by the tired old tableau of Santa by the fireside that rises, rather sluggishly, when the card is opened.

The prices attached to many of these offerings prove that people are prepared to pay a startling amount for such things, even in these recession-haunted times. One design may claim, with the aid of a winsome little girl in Father Christmas costume holding a mistletoe over her head, that "the best things in life are free for the asking". But

down, under the caption "Being drunk at Christmas is like a builder's bum". And inside the punchline, if so it can be termed, runs: "No one cares if it shows a little!"

If the British love vulgarity, they are equally susceptible to flowery verbiage. "Listen to the Silence of the Snow-Bound Sleeping Earth" commands a card adorned with a trite little village scene, where robins, holly and sickly yellow lanterns mingle with other predictable trimmings. A related design, from the same wistful stable, announces an overwhelming desire "To Wish You the Wonder of Glimmer and Shine".

But the masterpiece of the whole glutinous genre is undoubtedly a card which comes to us by courtesy of something called "the Susan Polis Schutz and Stephen Schutz Holiday Collection from Blue Mountain Arts". Their concoction bears on its cover, above an unusually bleak snowscape, a heartfelt vow: "This Christmas, Dad, I may not still be your little girl, but I'll always love you just the same." Just in case that affirmation is not moving enough, the card opens to reveal a full-blown poem elaborating on the same sentiments by Carol Maatta Oberg, who would have been better advised not to sign it.

The same observation could also be applied to the alarmingly abundant section targeted at the card-sender's family relatives. Paradoxically, the insistence on addressing the relatives ("Christmas wishes, dear brother and sister-in-law") ends up sounding stiff and impersonal. Sometimes, an awkward attempt is made to temper the formality, with results as embarrassing as "Love you, nana", or "From daddy's girl at Christmas". But to my astonishment, I discovered that no limit can now be drawn around the number of people who deserve a specifically aimed greeting. Every conceivable debt of gratitude is catered for. "A special thank you for my milkman" is displayed alongside cards "For someone in the Lord's service" and "For the refuse collector".

Nor does the whole feverish activity end on December 25. Suggesting out of the specialist shop Trump Cards in search of some reviving winter air, I nearly bumped into a separate section devoted to New Year cards. Alongside a cash-handed design of a Big Ben-style clock nearing midnight, one cover announces that "The past year is on its last legs." So, I would suggest, is the entire ruse of the hopelessly debased, incurably schmalzy Christmas card industry.

'Judging by the paintings on offer, piety and merriment are the only options'

the adage clearly does not apply to the booming, not to say voracious, card business. Over Christmas alone, it amounts to a staggering £1.6 billion market. And there is every sign that the demand for certain kinds of greeting is rapidly expanding.

One of the growth areas is *risqué* humour. End-of-the-pier jokes have always been staple fare, of course, but this year a new brand of Chippendale-influenced card concentrates on the male body. One cover, produced by the Andrew Brownworld Collection, carries a cartoon of two respectable old ladies fondling pink balls on their tree, and one says to the other: "I like my Christmas trees the way I like my men... well hung!" As if to counter this elbow-nudging naughtiness, the card earnestly informs us on the back that it has been "made from the soft wool pulp of sustainable Scandinavian forests. For every tree cut down at least one more is replanted, thus replenishing the earth's atmosphere."

So that's all right, then. We are free to savour the smuttness with a clear conscience, and the ubiquitous Caroden Graphics is quick to oblige. One of their most prominent designs shows a ladder-climbing Santa, his trousers falling



Are these the only alternatives? The suffocating devotion of old masters such as Murillo's "cloying" *Virgin and Child in Glory* (top left); beribboned cats and fluffy kittens; an "unspeakably sugary" modern nativity by Noel Syers; and risqué humour

In with a fighting chance

NEW YORK THEATRE: An assured performance from Tim Curry as a cinema idol anxious to revive a fading career

As Broadway's newest leading man, in the musical *My Favorite Year*, everything about Tim Curry is smart. From his trim moustache and beard to the suave figure he cuts dancing and fencing up and down stairs and atop balustrades, to the confident baritone he utters in song, he is diabolically attractive. Never mind that he looks more Richard III than Count of Monte Cristo and is rather too youthful to be Alan Swann, a Hollywood has-been who starred in 58 Errol Flynn movies. Curry has the panache to rise above logic. And above comparisons with Peter O'Toole, who created Swann in the 1982 movie that inspired this musical.

In the first Vivian Beaumont Theatre production inaugurating André Bishop as artistic director of that Lincoln Center venue, the setting is Manhattan in the 1950s heyday of live television. Alan Swann has ruined his personal and professional life through alcohol and lechery, but wins a second chance at both when invited to guest-star on a television variety show. Benji Stone (Evan Pappas), a young gag writer and fan of Swann, is assigned to babysit

the unreliable star through rehearsals and broadcast.

On Thomas Lynch's splendid Art Deco-style Waldorf Astoria suite and Rockefeller Center studio sets, interspersed with night-time Manhattan and a wildly flowered Stone family apartment, the characters cavort in witty costumes by Patricia Zipprodt — chorus girls, for instance, clad as coffee cups and other personifications of television commercial products.

The supporting cast — particularly Lanie Kazan, recreating her film role of Benji's Swann-worshipping mother and Andrea Martin as a writer stealing the show when let loose to perform a television sketch — sparkles in Thommie Walsh's snappy musical staging and Ron Lagomarsino's direction.

Demonstrably an audience-pleaser, *My Favorite Year* suffers artistically from a divided tone. Joseph Dougherty's book, Stephen Flaherty's music and Lynn Ahrens's lyrics veer between the hilarities of the television studio and Benji's Jewish-Filipino family and the banalities of Benji's romance and Swann's relationship with his estranged daughter. Bathos looms when Tim Curry has to sing a



Pappas and Curry: reliving the heyday of live television

maudlin ballad as the Act 1 finale. But sogginess aside, I found this 1950s riff on live television far more engaging than the more inventive 1940s Hollywood riff of *Angels*.

Unfortunately, negative reviews from Frank Rich and others may send Tim Curry home early.

HOLLY HILL

TELEVISION REVIEW: A satirical look at the bureaucracy of European union

One day we might find ourselves sitting at dinner with friends, all chatting in some Franco-German dialect that has become the new *lingua franca* of the European Community; and sipping Edelweiss squash, because wine has been outlawed by Brussels after attempts to produce an integrated but palatable "Euro-wine" blended from a mixture of all the national wines founded when a vat of Greek retsina was poured into the mixture; and nibbling on char-grilled Camembert heated to a high enough temperature to kill listeria germs; and all wearing hairnets which became mandatory headgear when in the presence of food even in your own house. Could it come to this? Well, possibly. The satirist has to simplify and then exaggerate, which is a problem for anyone trying to satirise the workings of Brussels, as the writer and performer Pete McCarthy learnt in last night's *I'm All Right Jacques* (BBC 2). The EC bureaucracy so often already seems such a parody of itself that it becomes tricky for anyone else to parody it further: lawnmower noise harmonisation, hairnets for fishermen working on factory ships, condom regulations, a policy that forces us all to subsidise farmers for not growing anything but does not bankrupt writers not to write or Yorkshire miners not to dig coal.

McCarthy rose to the challenge by not always trying to out-Brussels Brussels in the

We're all funny foreigners now

inanity of some of the by-products of harmonisation, and by taking pity on the millions of Europeans who are being forced into closer ties with Britain, as well as commiserating with Euro-sceptical Brits (and, of course, Anglo-sceptical Scots, Welsh and Irish who already know what life can be like when sovereignty shifts a few hundred miles away).

McCarthy justifiably pours scorn on the horrid breadiness that too often pass for sausages in Britain — on the chemically induced tang of brown cocktail crisps and on many British tourists' aversion to the coffee that greets them in France and Italy because it tastes too much like coffee for their liking, thanks all the same. And he quite rightly warns fellow Europeans about forging closer links to a country that invented pork scratchings, presumably on the ground that a country that willingly eats a snack that has hairs growing on it probably does plenty of other peculiar things as well.

For us, Europe is just something to blame when things go wrong over here," says McCarthy, which, as far as Norman Lamont and John Major are concerned, may be one of its most attractive

qualities just at the moment. He also notes that the "British don't like foreigners" but that "foreigners don't like foreigners either. And no one likes the Germans."

There then followed the usual jokes about Hitler, Nazis, the war, Germany's predilection for annexing its neighbours, and the ugly re-

surgence of Nazism in Germany today. These are standard ingredients in the Euro-comic's recipe book. Understandably, Germans get upset at the innuendo and complain that the British can never forget the war. Brits, meanwhile, tend to laugh at these jokes, even though they have heard them countless times before, because, well, no, they haven't forgotten the war and because, well, some of them are still not sure quite how much they should be laughing, anyway.

JOE JOSEPH

PARIS NOTEBOOK: a prize literary row; discord among musicians

Don't judge a book by its coverage

the famous Czech novelist Milan Kundera, who often visits the Antilles.

Kundera, he says, gave a party for Chamoiseau to which he invited several members of the Goncourt jury. On top of that, he wrote an article praising Chamoiseau's work just a few weeks before the publication of *Texaco*.

The newspaper *Le Monde* has hit back at *Pivot*. What a splendid demonstration of how to force the hand of a jury, it declares ironically. Before the prize was awarded, it says, the general opinion in Paris was that Kundera's party had actually harmed Chamoiseau's chances. As for the article, it appeared not "just a

few weeks" before the publication of the novel, but in June 1991, a year and two months before.

ANOTHER French row has just been settled. The musicians of the Orchestre de Paris have been in dispute with their management over money for two years, since a tour of Italy

was cancelled. Now the two parties have reached agreement — and have decided to give the sum they were arguing over to charity.

Happy conclusion? Not quite. Another problem that had been shelved now looms up again: the orchestra's need for a concert hall with first-class acoustics and decent

working conditions for the musicians.

All Paris has is the Salle Pleyel, where the acoustics do not reach contemporary standards, the musicians' chairs are famously uncomfortable, and there is nowhere behind the scenes for the instrumentalists to warm up. You cannot have a great orchestra without a first-class concert hall, the musicians say — and they point with envy to Amsterdam, Berlin, Vienna and Chicago (but not London).

DERWENT MAY

Nobody ever wins the Prix Goncourt, France's premier literary prize, without someone in Paris crying "Foul!" It has happened again this year. The 1992 winner was a writer from Martinique, Patrick Chamoiseau, who received the prize for a novel written partly in Creole argot called *Texaco*. Now the critic Bernard Pivot has claimed, in an article in the magazine *Libre*, that Chamoiseau would never have got the prize for his long, difficult novel without the undue influence of his friend,

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LAW

Weird and wonderful proceedings, new appointments in high places, some new ground broken... David Pannick, QC, looks back at 1992

It's been a funny old year at the Bar

The year of 1992 was a fairly typical one in the law courts. The Court of Appeal ordered the retrial of a man convicted of murder because the trial judge had directed the jury that the defence case was "manifest rubbish" and "transparent nonsense". A judge at Hereford Crown Court told a defendant that, "a lot of the excuses for your behaviour are that you had problems with a woman. Who do you think hasn't? It's part of their function in life." A Crown prosecutor jokingly informed a group of students that the criminals he faced in court were too favourably treated: "I'd hang them. I'd flog them and I'd birch them — but I can't."

It was a difficult year for some advocates. In Bridgend, Mid Glamorgan, the chairman of the magistrates' bench interrupted the sentencing of a defendant in a drink-drive case to order the defence solicitor to leave the court because his shoelaces were undone. At Southwark Crown Court, in London, a judge ordered the arrest of defence counsel arguing a criminal case because the barrister persisted in making submissions despite the judge's direction that he sit down and be quiet. A solicitor was jailed for three hours for contempt for refusing to withdraw critical remarks about the running of a court in Staffordshire.

Judges faced a number of distractions. At the Old Bailey, a judge sacked a juror from a case for constantly interrupting the proceedings. A young woman burst topless into Cardiff Crown Court in protest at the arrest of her boyfriend. A Crown Court judge in Newcastle upon Tyne, angered by a noisy display of pleasure from the public gallery after a jury acquitted a defendant on a charge of wounding, ordered 12 members of the public to be detained in prison for the night. The acquitted defendant sadly explained that he "was hoping to celebrate with my friends, but they were all locked up".

There were important changes in the senior judiciary. A new Lord Chief Justice, Lord Taylor, and a new Master of the Rolls, Sir Thomas Bingham, were appointed. Each expressed the opinion that the European Convention on Human Rights should be incorporated into domestic law. Lord Donaldson, the former Master of the Rolls, gave a valedictory speech at the retirement of Lord Lane, the former Chief Justice, denouncing what he described as a "campaign of calumny" which had sought to make Lord Lane a "scapegoat for failures of the criminal justice system".

That system continued to give cause for concern. In quashing the conviction of Judith Ward, who had spent 18 years in prison after being wrongly convicted of the 1962 IRA coach bombing, Lord Justice Glidewell stated that "our law does not tolerate a conviction to be secured by ambush". In allowing an appeal by three men convicted of the murder of a Cardiff prostitute, Lord Taylor reminded police forces that "if you go on asking somebody questions, and tell him he is going to sit there until he says what you want, there will



Scene and heard: (clockwise from top left) Roger Seelig; the newly appointed Lord Chief Justice, Lord Taylor; Mona Bauwens; Lord Justice Bingham, the new Master of the Rolls; Jani Allan

come a time when most people will crack". The second Guinness trial was brought to a premature end because of the strain on Roger Seelig, one of the defendants. The Blue Arrow fraud convictions were overturned by the Court of Appeal because of the content of the summing-up to the jury by the trial judge.

The acquittal of the defendants in the Matrix Churchill arms-to-Iraq trial made the scope of public interest immunity a topic of public debate. The courts considered whether to allow doctors to stop feeding a victim of the Hillsborough disaster who "lives" in a coma. The man who tried to sell a memorandum detailing the relationship between Paddy Ashdown and his former secretary was convicted of handling a stolen document, but acquitted of burglary. Because of the laws of evidence, the jury were not told that he had 230 previous convictions for burglary, many of them of business premises.

The libel courts provided their custom-

The Lord Chancellor's department began consultation on whether legal wigs and gowns should be abolished

ary entertainment. During Jani Allan's unsuccessful libel action against Channel 4 for suggesting that she had an affair with Eugene Terre Blanche, the South African neo-Nazi, the cross-examination by George Carman QC revealed that Mr Terre Blanche wore green underpants with holes in them. The jury failed to reach agreement in Mona Bauwens's libel action against *The People* for suggesting that David Mellor and family should not have been friends with her. Evidence about the minister for fun's free holidays contributed to the pressures which forced him to resign.

While being cross-examined in her libel action against *New Woman* magazine, Sara Keys told Desmond Browne, QC, "Do you think I chose to be here, having

the details of my involvement with this man [Cecil Parkinson] paved over by people like you?"

The Lord Chancellor required a judge at Newcastle upon Tyne Crown Court to apologise to a female usher after finding that the judge had "kissed her on both cheeks and placed his hands on her waist". Mandy Smith agreed to receive £580,000 as a divorce settlement for a marriage in which she allegedly spent only five nights with Rolling Stone Bill Wyman. Alison Halford settled her sex discrimination claim against the Manchester Police Authority. At Cardiff Crown Court, a judge's wig was stolen. A solicitor's clerk was convicted of stealing a barrister's wig from the robing room in Southend Crown Court. The Lord Chan-

cellor's department began consultation on whether legal wigs and gowns should be abolished.

The Treasury confirmed that it had agreed to pay £4,000 to the solicitors who had advised the Chancellor of the Exchequer, Norman Lamont, in relation to press enquiries concerning the eviction of an unsatisfactory tenant. The Lord Chancellor warned about cuts in legal aid.

Nothing which occurred in the English legal system could compete for absurdity with legal developments in the United States of America in 1992. In Texas, a judge of the court of appeals sued her colleagues for refusing to allow her to file a dissent to a judgment of the court. The chief judge of the New York court of appeals was arrested and charged with

blackmailing his former lover by threatening to publish compromising photographs of her with her new boyfriend. A woman sued Bill Clinton on the ground that the prospect of "a draft-dodger and communist sympathiser" being elected president was causing her "serious emotional and mental stress". And a US district court judge accepted that "counsel have a constitutional right to regard each other as schmucks".

In the most significant legal proceedings in England this year, Mr Justice Macpherson declined to grant an injunction to stop the general election 48 hours before polling day. The applicant had complained that he could only vote for those candidates whose names were on the ballot paper and this was a denial of his democratic rights. We will all be suffering from the consequences of this decision well into 1993.

● The author is a practising barrister and a Fellow of All Souls College, Oxford.

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Counting the cost of justice

Magistrates at their association's annual meeting passed a resolution that thefts of £200 or less should be tried at the crown court only at the discretion of the justices. That is, that the right of the defendant to elect crown court trial for such offences should cease, *Adrian J. Turner writes*.

The proposal by the Inner Manchester Branch aroused considerable interest. The reason for the concern was that the motion would remove a constitutional right that has existed for a very long time and continues to enjoy strong support in both branches of the legal profession.

The proposal to make small thefts triable only in the magistrates' court is not new. The Interdepartmental Committee on the Distribution of Criminal Business Between the Crown Court and the Magistrates' Court recommended in 1975 that thefts of property not exceeding £20 in value should become summary only. The reason was that such cases were not serious and "did not justify the elaborate and expensive method of crown court trial". Parliament did not agree.

The motion differs in one very significant respect from the committee's recommendation: commitment to the crown court trial would be possible at the discretion of the justices. This recognises that the monetary value is not the only relevant issue.

For example, the theft may be of a cheque made out in a large sum of money. In such a case the gravity of the charge arises not so much from the value of the piece of paper, but from the thief's intentions. Another instance is where the offence was committed in breach of trust. In such a case the amount stolen is often of secondary importance.

It would be very difficult to preserve the right to elect jury trial in these and other cases where the gravity is not apparent from the terms of the

Should those accused of petty theft be allowed an expensive trial by jury?



charge. The range of possibilities is too great and there would be problems of definition. The solution, therefore, is to give the justices a discretion which they would exercise according to the circumstances.

The main objection to the proposal is that all thefts are serious and anyone facing such a grave allegation should be able to elect trial by jury. I do not for one moment suggest that theft is not serious. It is a fundamental wrong, but its commission is commonplace.

Home Office statistics show that in 1990 the total number of persons proceeded against for theft and handling was 160,400. Of these, 15 per cent were committed for trial and 8 per cent received custodial sentences. The figures for prosecutions, however, represent only the tip of the iceberg. In the same year the total number of notifiable

offences of theft of less than £100 value recorded by the police was 1,000,192.

In the face of such numbers it is difficult to sustain an argument that theft continues to carry such great infamy or disgrace as opponents of summary only trial claim.

The Criminal Justice Act 1991 draws a distinction between offences against property and against the person. The clear intent is for the former to be dealt with by community and other non-custodial penalties.

Even before the Act, it required a substantial value or other aggravating factors to justify custody. If seriousness is the main consideration in sentencing, as by statute it must now be, small theft is a long way down the scale.

The strongest argument, however, is that there are numerous offences of greater seriousness than small theft that can only be tried in the

magistrates' court. Many involve dishonesty, such as interfering with a motor vehicle with intent to steal the vehicle itself or property from it. Others involve violence, such as assaulting a police officer in the execution of his duty. It is inconsistent and illogical that these offences must be heard by magistrates when the most trivial theft can go to the crown court.

We have a two-tier criminal court system because the expense of crown court trial for minor offences cannot be justified. A middle "either way" category will always be necessary as long as there are some offences which are broader than the magistrates' jurisdiction alone can contain. But the narrower we can make that group of offences the more we will bring clarity and fairness to the process.

Theft is a strong candidate for a more limited "either way" band, and the only consistent and sensible means we can use is the value of the property stolen. It indicates the harm done and usually illuminates the offender's culpability.

The resolution passed by conference has revived an important discussion on the appropriate court of trial for a great number of offences. I hope it will lead to a fresh parliamentary enquiry into the matter. I also hope that defenders of jury trial for these cases will take note of the many changes that have occurred in magistrates' courts in recent years.

If, as I suspect, many of them lack confidence in the fairness of summary trial because of past experience, they will now find improved selection and training of justices, and that the label "police court" has long since ceased to be justified.

● The author is a barrister and joint honorary secretary of the Inner Manchester Branch of the Magistrates' Association.

Regal T
further

Schofie

Carp classic casts new light on an ancient pastime

Brian Clarke trawls through the year's fishing literature and discovers an outstanding tale at the summit of the book mountain

A man in a bar once told me that more books have been written about fishing than about any other subject except mathematics. He was, of course, a fisherman himself, almost certainly not much of a mathematician and the evening, it is true, was no longer young.

Even so, not many subjects have as long a literature as angling and no sport has a literature more elegant. There is something about fishing — and especially fly-fishing — that not only attracts writers but causes literary springs to flow in those who otherwise have given all to more arid pursuits.

It has always been thus. The written record of fly-fishing, the most esoteric branch of angling, goes back 2,000 years to *De Animalium Natura*, by Claudius Aelianus. The written record of fly-fishing in the English language goes back to 1496, to *The Treatise of Fysshynge with an Angle*, by Dame Juliana Berners.

Since then, the stream of literature has been in full flood. Some surprising names have bobbed up. Sir Robert Boyle, of Boyle's Law, took enough time out from schoolboy tortures to write a book about angling. Sir Humphrey Davy, of the miner's lamp, also wrote a fishing book. Charles Kingsley, of *The Water Babies*, wet a few lines. Lord Grey of Falloden, who saw the metaphorical lights going out across Europe, wrote a wonderful book on fly-fishing before his own physical blindness struck.

Today, many thousands of fishing books are in print and the best of the old ones fetch astonishing prices. Each year sees a mountain of new grist added to the printer's mill.

For every publisher, the challenge remains constant

that of finding new authors with new things to say and the ability to say them well. Some well-known anglers now write so much that they are beginning to devalue their own currency. A few are writing their reputations to death. A few others cannot be persuaded to produce enough.

For writers, the challenge is constant, as well: to produce the book that will last.

There are three kinds of fishing book that last. The first is the book that takes angling technique noticeably forward.



These are very few indeed: angling is an ancient business, as Claudius Aelianus would be the first to say. The second book is that which increases understanding: the book that slips a correcting lens over eyes that have seen only what tradition and idleness have taught them to see. Such a book alters attitude and approach.

The third book is of another kind completely: that which evokes the atmosphere and experience of angling so strongly that the reader might be sitting deep inside the

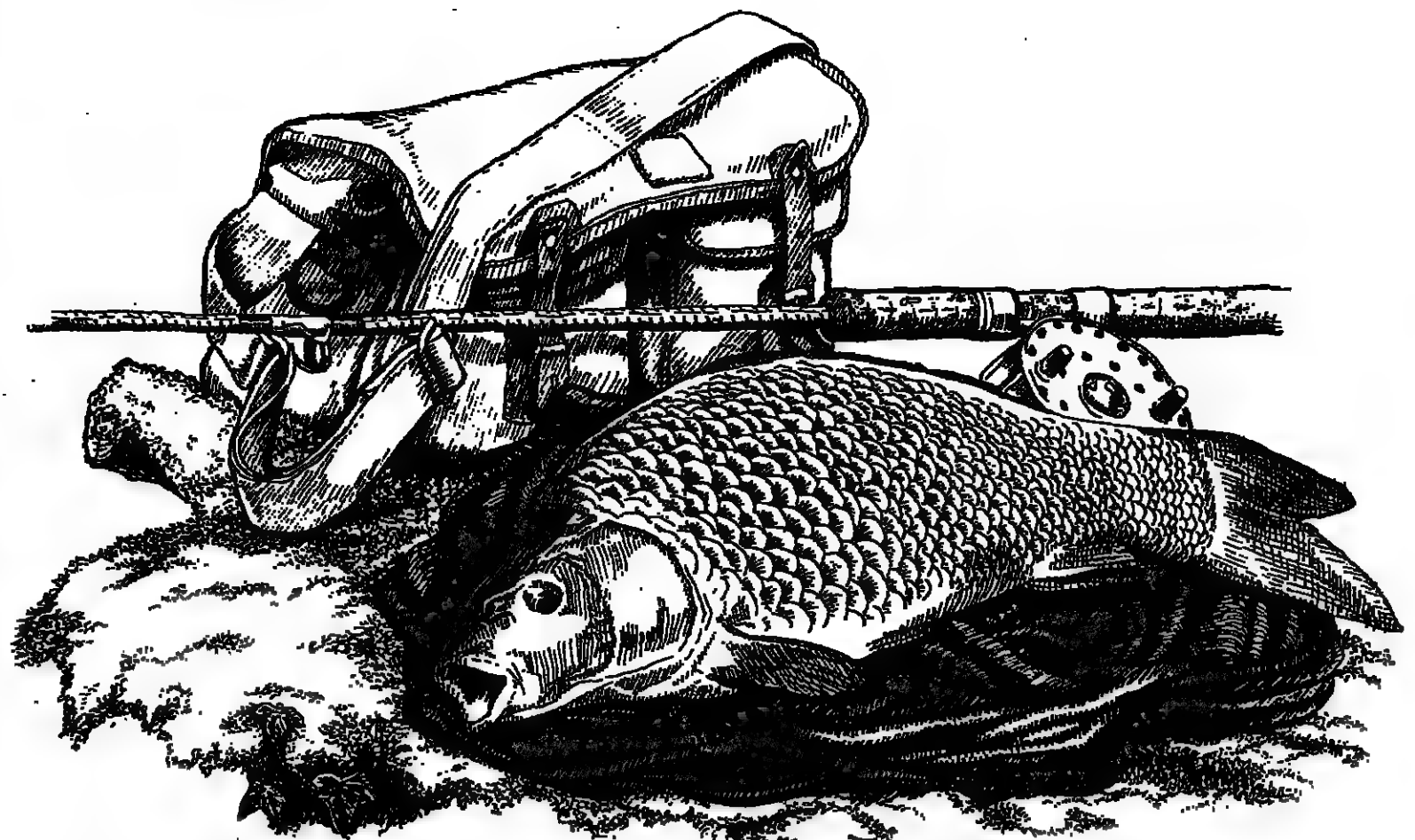
writer's mind, seeing with his eyes, listening with his ears, filtering with his emotions.

Which brings us to 1992. The year has seen no books in the first two categories — most years, of course, see no book in any category — but it has produced a book of the third kind. *The Secret Carp* by Chris Yates (Merlin Unwin Books, £16.95) is unquestionably the read of the year, indeed of many years. It is a potential classic.

Yates, among other things, is the long-time holder of the British carp record. His book is presented as the story of a single day's fishing on a carp lake, as it unfolds. It matters little that the formula is strained at times. Even the odd jarring note — and they are here — merely serves to highlight the quality of the rest.

The Secret Carp breathes out a love of water and light; a sense of other place and of unbroken time; a proper appreciation of the mystery of fishes. It will delight anyone who has ever fished for anything and enlighten anyone else who has wondered what the appeal of angling might be.

There is, this year, a second book that is unusual for its reading quality. *Somewhere down the Cray River* by Paul Boote and Jeremy Wade (Sangha Books, £18.95) is a many ways a saga from another age. It describes the authors' journeys through India for mahseer and through Africa for tiger fish. I expected to find Livingstone and Cochet around every page. The book is filled with incident and atmosphere and is very



Quarry banked: the object of a specialist fisherman's quest, as illustrated in Chris Yates's atmospheric book *The Secret Carp*

much better than its garish jacket might suggest.

For those who prefer to fish in greater comfort and nearer home, there is *The English Chalk Streams*, a beat-by-beat guide down the most famous trout rivers in Britain by Sidney Vines (Batsford Books, £19.99). For those who cannot decide where to fish for trout or who do not know how to fish for them, *Fly-fishing for Trout* by Peter Lapsley (Stanley Paul, £16.99) will answer most needs. *Fly-tying*, by Pat

O'Reilly and Derek Hoskin (Crowood Press, £9.99), a no-nonsense introduction to fur and feather at a sensible price, would fit into the same stocking.

Two anthologies are worth mentioning. *The Big Fish*, edited by Arthur Oglesby and Lucy Money-Couts (Robinson Publishing, £14.95), gives the vicarious pleasure of landing other people's whoppers; and *The Kingswood Book and Fishing* edited by Tony Fawson (Kingswood Press,

£16.99) collects some of the best of the rest of angling writing.

As usual, academics are well represented in the year's output — among them Barrie Rickards, professor of geology at Cambridge University, with *Success with Pike* (David and Charles, £15.99) and Dr C. B. McCully, a lecturer in English language and literature at Manchester University, with *Fly-fishing: a Book of Words* (Garman, £18.95).

Indeed, McCully's book ranks as the most unusual fishing book in a long time. It gives the meanings and origins — Old English, Old French, Saxon, Gaelic, Norse and Latin not excluded — of the hundreds of specialist words that make up the lexicon of fly-fishing. Dr McCully will not expect to make his fortune with so esoteric a work, but he has made an intriguing contribution to the ever-rolling stream.

It is good, given the pressures on fishing that crowd in

on all sides, to be able to end on an optimistic note — especially a note to cheer the salmon angler. *Tyne Waters — a River and its Salmon* by Michael W. Marshall (Witherby, £18.99), is the story of the death and resurrection of that great game river. The book is full of evocative tales, chilling facts and stirring illustrations. It lights again the lamp of hope — and in the depths of winter, with the darkness closing in, that is no mean lamp to read any book by.

RUGBY LEAGUE

Regal Trophy draw produces further fixture congestion

By Christopher Irvine

WHEN the 35 member clubs vote at a special meeting on January 6 on proposals for an even more congested programme next season, they might reflect on the chaos caused by one hard frost and Wigan's home draw against Hull in the first Regal Trophy semi-final on Saturday week.

Both clubs, faced with a backlog of as many as seven games by the end of January, could think differently about an additional four league fixtures in 1993-4, as they face the prospect of playing twice a week until the season's end.

The Rugby Football League called the draw a worst case scenario. It has caused a swathe of postponements to the league programme over the new year holiday period. Wigan and Hull must now rearrange their fixtures for January 1 and January 3. In

addition to matches on January 17 because of their unfortunate pairing in the preliminary round of the Challenge Cup.

To reduce the congestion, Wigan are prepared to gamble on rescheduling their home league match against Bradford Northern for February 7 and still send a team to defend their World Sevens title in Sydney that weekend.

Forecasters hold out little hope for tomorrow night's rearranged third round Regal



Semi-finals
Wigan v Hull (January 2)
Bradford Northern or Widnes v Castleford (January 9)

Trophy game between Bradford Northern and Widnes. Should the frost persist, the tie will be staged next Tuesday, if necessary at Headingley, where there is underfull seating. The winners will be at home to Castleford in the second semi-final on January 9.

The system is teetering under the enormous burden of matches and a lengthy cold snap would produce a chaotic situation. The solution of the Rugby League Council, incredibly, is to expand the first division from 14 to 16 clubs and run the season from August 8 to mid-May.

Finance, not the consequences for players or the Great Britain side, appears to be the only motivation, to suggest a season in which a successful club could play as many as 50 matches.

Schofield plans court action

By Christopher Irvine

THE rift between Gary Schofield and his club, Leeds, who have refused him permission to play in Australia in the summer, is likely to continue in the courts with a claim for compensation of £40,000.

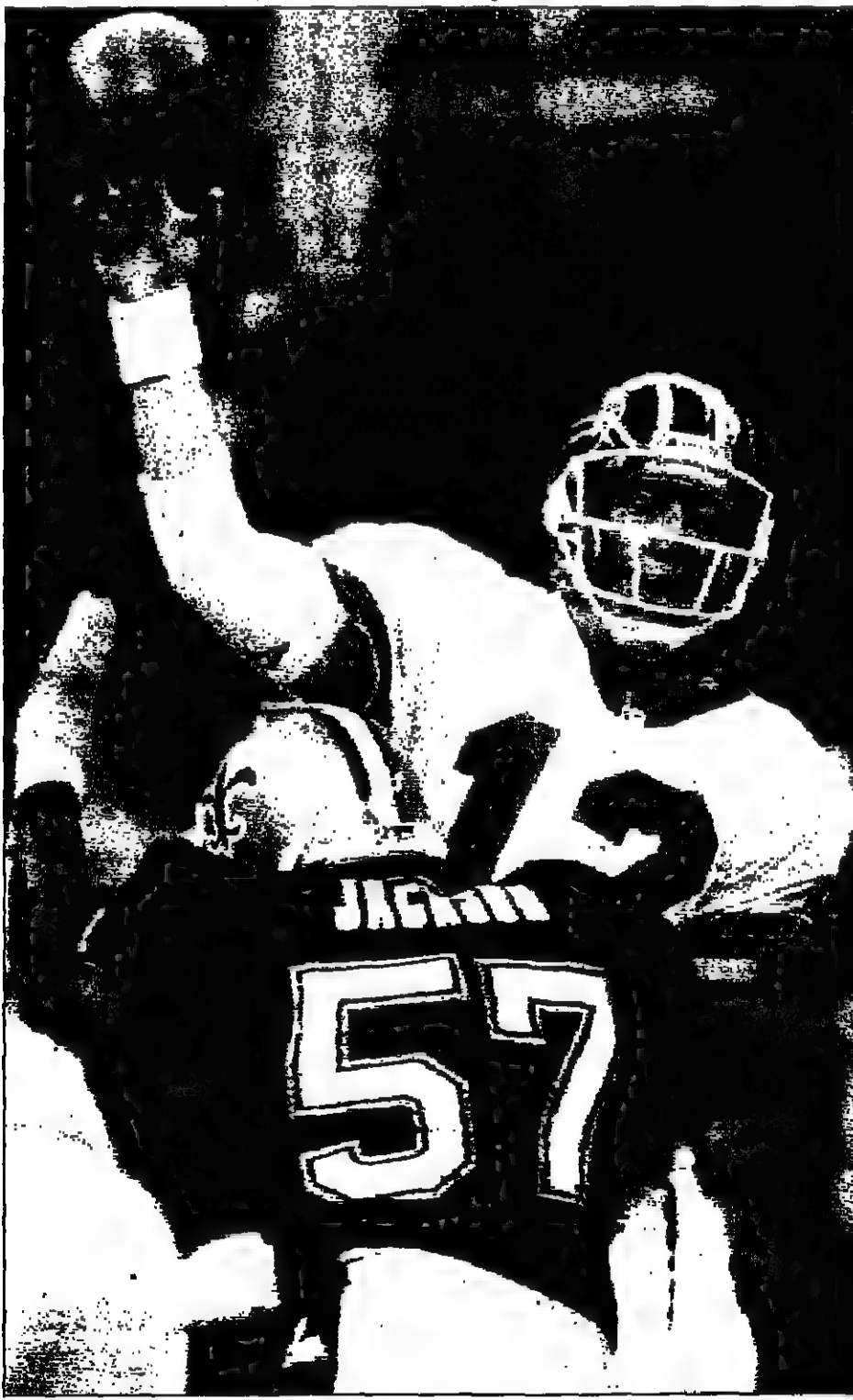
In talks with the Great Britain captain at Headingley yesterday, Doug Laughton, the Leeds coach, was insistent on his not joining Manly-Warringah in the close season. "Nobody told us he wanted to go there until he had signed his last contract. My aim is to see great players play, but back-to-back rugby — these days is too much," Laughton said.

Schofield's claim that there is nothing in his contract preventing him playing in Australia is in a solicitor's letter now in the hands of the club. Any action will be discussed today at the weekly meeting of the Leeds board.

Hunslet, of the third division, face a possible charge of bringing the game into disrepute and a £2,000 fine when officials appear before the Rugby Football League's board of directors on January 5 to explain the refusal of the club to play on a frosty pitch at Batley on Sunday after the referee had declared it playable.

The Hull referee, Steve Cross, took to the field with the Batley players, who kicked off, watched by 200 bemused spectators, after Hunslet had refused to change. Fred Lindop, the league's director of referees, later inspected the ground at Hunslet's request, but also deemed it fit.

Graeme Liles, the Hunslet chairman, said yesterday: "We are prepared to risk a fine rather than the lives and livelihoods of our players." Amateur Rugby League has received more than £70,000 in grants from the Foundation For Sport And The Arts.



Safety valve: Kelly, of the Buffalo Bills, gets rid of the ball on Sunday

AMERICAN FOOTBALL

Vikings lead dash to play-off places

FIVE National Football League teams secured play-off positions on Sunday, led by the Minnesota Vikings, who won their division on the penultimate weekend of the season (Robert Kirby writes).

The Philadelphia Eagles, San Diego Chargers, Miami Dolphins and Houston Oilers also reached the play-offs, which begin on January 2. Buffalo, Pittsburgh, Dallas, San Francisco and New Orleans had previously earned post-season places. The two remaining positions will be decided next weekend: Washington or Green Bay, and Denver or Kansas City, the latter two deciding their fate head to head.

The Eagles and Vikings advanced with narrow wins on Sunday. Philadelphia staved off the defending Super Bowl champions, Washington, 17-13 to clinch a wildcard berth. The Redskins will stay alive only if Green Bay

lose or they beat the Los Angeles Raiders next week and the Eagles help them by beating the New York Giants.

The Vikings beat Pittsburgh 6-3 on Fead Revis's last-second field goal, a 36-yarder. Green Bay, despite their sixth win in a row, 28-13 over the Los Angeles Rams, must win in Minneapolis next week and have the Redskins or Eagles lose.

San Diego became the first team to start a season with four defeats and reach the play-offs. They beat the Raiders 36-14 for their sixth consecutive win. John Carney kicked five field goals.

Houston claimed their sixth successive play-off berth, the longest streak in the league. Miami, who beat the New York Jets 19-17, can still win their division. John Elway returned from a shoulder injury and Denver stayed in contention by stopping a four-game losing streak.

RESULTS AND TABLES

RESULTS: Week 16: Buffalo 20, New Orleans 16; Houston 17, Cleveland 14; Green Bay 28, LA Rams 13; Minnesota 6, Pittsburgh 3; Cincinnati 20, New England 10; Indianapolis 16, Phoenix 13; Philadelphia 17, Washington 13; Detroit 16, Chicago 8; San Diego 28, LA Raiders 14; Denver 10, Seattle 6; Miami 19, New York Jets 17.

AMERICAN CONFERENCE
East division
Buffalo Bills... 11 4 376 258
Miami Dolphins... 10 6 324 280
Indianapolis Colts... 8 7 195 225
New York Jets... 8 11 220 225
New England Patriots... 8 10 192 347
Central division
Pittsburgh Steelers... 10 5 276 212
Houston Oilers... 8 8 226 225
Cleveland Browns... 8 8 224 232
Cincinnati Bengals... 6 10 257 343
West division
San Diego Chargers... 10 5 304 227
Kansas City Chiefs... 8 8 305 292
Denver Broncos... 8 7 242 257
Los Angeles Raiders... 8 8 228 261
Seattle Seahawks... 8 13 225 281

NATIONAL CONFERENCE
East division
Dallas Cowboys... 11 5 341 212
Philadelphia Eagles... 10 6 334 225
Washington Redskins... 8 8 280 234
New York Giants... 6 8 286 347
Phoenix Cardinals... 4 11 240 285
Central division
Minnesota Vikings... 10 5 347 242
Green Bay Packers... 10 5 341 285
Chicago Bears... 8 10 281 334
Detroit Lions... 8 10 267 308
Tampa Bay Buccaneers... 4 11 280 382
West division
San Francisco 49ers... 13 5 407 230
New Orleans Saints... 11 4 310 232
Atlanta Falcons... 8 8 283 325
Los Angeles Rams... 5 10 275 355
El Dorado not include last night's game: Dallas at Atlanta.

PLAY-OFFS: Week 17, Saturday: LA Raiders at Washington; New Orleans at NY Jets; Sunday: Atlanta at LA Rams; Chicago at Dallas; Cleveland at Pittsburgh; Denver at Kansas City; Green Bay at Minnesota; Indianapolis at Cincinnati; Miami at New England; NY Giants at Philadelphia; San Diego at Houston; Tampa Bay at Phoenix; Buffalo at Oakland; Monday: Detroit at San Francisco.

* clinched division championship.
† clinched play-off position.

WORD-WATCHING

Answers from page 32

RECIBIENDO

(b) A method of killing the bull by which the bullfighter receives the charging bull on the point of his sword, from the Spanish *recibir* to receive; Ernest Hemingway, *Death in the Afternoon*, "He did kill several times recibiendo, receiving the bull on the sword in the old manner."

ORANS

(b) In iconography, represented with hands clasped, as praying, also *orans*, from the Latin *orare* to pray; "Though the Trecento type, the seated Virgin with clasped hands, persists in the Quattrocento, it is the Virgin derived from the old *orans* type, of which the *Antwerp Assumption* is the earliest Italian example."

SPINONE

(a) A wire-haired gun-dog of an Italian breed, usually white with tan or brown markings, drooping ears, and a docked tail; "The Spinone has for centuries been the Italian all-purpose shooting dog." "Breeds of dog whose docking is permitted by the Kennel Club are: sporting spaniels, Italian spinones, Weimaraners."

TRIKINI

(a) Any of various designs of ladies' swimsuit which consist of three main areas of fabric (as pants) and a separate covering for each breast, a punning malformation from *trikini*: "Some ingenious fellow has just come up with a trikini, best described as a handkerchief and two small saucers."

SOLUTION TO WINNING CHESS MOVE

The offside black queen is no match for the active white forces: 1 Nf4+! Kg4 2 Bf3 mate.

The Times writers select their favourite sports books of the past year

The day Lyle began to believe he could win again

By Ian Forsyth

SANDY Lyle is convinced, following his success in the Volvo Masters last month, that he is ready to start winning major golf championships again and resume his Ryder Cup career. His comeback after three frustrating years, during which he failed to notch a tournament victory and declined to play for Europe against the United States, has been well documented. But in *A Round to Remember* (Partridge Press, £16.99) Michael McDonnell suggests an unexpected score of 70 provided Lyle with the reason to believe in himself again.

It came in the second round of the Open Championship at St Andrews in 1990. Lyle knew he needed a 70 to avoid missing the halfway cut as he had done in both the US Masters and the US Open earlier in the year. McDonnell, golf correspondent of the *Daily Mail*, explains how Lyle, despite hitting his one-iron into the burn at the 1st, jured his chin out in determined fashion, and the roar that greeted the player as he left the 18th green demonstrated he was on the road to recovery.

By Ian Forsyth

MANAGING to Succeed, by Howard Wilkinson and David Walker (Mainstream Publishing, £12.99) is a fascinating insight into the world of football management. While Wilkinson could hardly be said to totally bare his soul, as he recounts his transformation from long ball advocate to discerning purist, his account of how he approached the task of transforming both the fortunes and the image of Leeds United is frank and occasionally rather poignant. Bearing

in mind recent developments at Elland Road, Wilkinson's appraisal of Eric Cantona, the French international forward, is pertinent. Stylishly written and with an endearing sense of humour.

By Chris Irvine

THE Rugby League Challenge Cup by John Huxley (Guinness Publishing, £16.95) is a splendid anecdotal history of the contests for the sport's holy grail. Huxley recalls how Warrington hailed their 1905 hero, Jackie Fish, with cardboard fish cut-outs on the end of poles; the

agony of Don Fox's missed penalty for Wakefield in 1968; the near riot that followed the five goals kicked by Fred "Bucker" Young, who won the 1910 replay for Leeds. He brings the story right up to date with the tale of Wigan's dominance and the feats of Offiah, Hanley, Gregory and Edwards.

By Richard Evans

FOR racing humour, look no further than *Winning Colours* (Bellew Publishing, £14.95). John Welcome's selected writings of Edgar Wallace are a joy. Wallace

enjoyed life as a tipster, owner and gambler but was at his best as a writer and journalist whose work went some way to paying for his less than profitable hobbies.

For racing education, turn to *Martin Pipe: The Champion Trainer's Story* (Headline, £16.99), which offers an excellent insight into the self-taught man who has turned national hunt racing upside down.

For hope of profit, *Formdata* (Racing Research, 21 Upper Green Lane, Hove Edge, Brighton, Yorkshire) published each week (£19.50) is the best weapon in a punter's armoury.

CHANNEL 4

6.00 *Cartoons* (87342). 7.00 *The Big Breakfast* (58209)
9.00 *You Bet Your Life*. Game show hosted by Bill Cosby (s) (6545629)
9.25 *Laurie R. King*. Mystery. (1510261) 9.30 *Sesame Street* (10629)
10.10 *Film: Charlie Chaplin Carnival* (1938, b/w). Compilation of four Chaplin shorts: *The Freeman*, *The Vagabond*, *The Count* and *Behind the Screen* (87829)
12.00 *Dr Seuss on the Loose*. Three animated tales (49690)
12.20 *Famous People, Famous Places*. Quiz (s) (1986922)
1.00 *The Great Gables*. Second of a two-part dramatization of L.M. Montgomery's classic story. (Teletext) (r) (2006784)
3.00 *The Island that Came Back to Life*. A *Survival* documentary examining the wildlife on St Kilda (r) (8358)
3.30 *Transformations: Through the Looking Glass*. An exploration into the realms of the mind (23163)
4.30 *Christmas Tree Men*. Evening of a group of workers migrate from the north to work on Christmas tree plantations of Berkshire (950)
5.00 *Teletext Service: Children's* animated magazine (4498)
6.00 *The Crystal Maze*. With Richard O'Brien (r) (s) (74174)
7.00 *Channel 4 News*. (Teletext) *Weather* (719735)
7.50 *Comment*. Rita Watts argues that the Queen does not deserve much sympathy for her *arvus horribilis* (801087)
8.00 *We Sing and We Dance: The Nicholas Brothers*
1930s and 1940s the Nicholas Brothers, Harold and Fayard, were one of America's top dance acts. This admiring portrait gives them due recognition, both as superbly gifted entertainers and as blacks who became heroes to their race. But their success came despite a life at which they were constantly subjected to humiliations. Their film appearances were usually five-minute slots which had nothing to do with the plot, and although the brothers are too good-natured to harp on it, race prejudice clearly bit deep. Generous tributes are offered by younger dancers such as Mikhail Baryshnikov and Debbie Allen and by the film's director, John Singleton. Includes their entertaining *Top Gun* song. 143 Film, *Norma Weir* (8803)



Fighting force: Clint Eastwood trains raw recruits (9.00pm)

Evolutionary portrait: Charles Darwin in his study (9.00pm)

9.00 Darwin
★ CHOICE: This portrait of the great Victorian naturalist comes from Peter Greenaway, whose cinema films such as *Prospero's Book* and *The Belly of an Architect* give fair warning that it is no conventional documentary. The first impressions are not encouraging. The layout is cluttered, the editing is over-the-top. Greenaway has decided to give his picture a letter-box shape by blacking out the top and bottom. Furthermore he breaks up the narrative into 18 dramatised tableaux, each set in Darwin's study and illustrating an aspect of the man and his age. Since there is no dialogue the pictures are essentially silent. The overall effect is somewhat odd. But if the form is idiosyncratic, the content is informative, stimulating and largely uncontroversial. As usual Greenaway is not shy about showing the naked human body (8667)

10.00 Pillars 2 First of a new series of the spoof royal soap (s) (48971)

10.25 Pill: Fools of Fortune (1989) starring Julia Christie and Ian Glen. The first of a series of spoof royal soap operas. This time the narrative is of a Protestant family in 1920s Ireland. Directed by Pat O'Connor. (Teletext) (s) (600700) 12.25s Pillars 2 (r) (s) (2362168)

12.50 Film: Ebbels, Horror of the Deep (1969). A Christmas season of Godzilla films begins with the action-packed adventure in which Godzilla joins forces with a giant moth to save the world from a huge tidal wave. Directed by Jun Fukuda. A Japanese film with English dialogue (R045787). Ends at 2.25

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Pro Beach Volleyball (

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MOVIES+

9.00 Shipping on FM
9.55 Shipping Forecast 6.00
News Briefing, Int. 9.03
Weather 6.10 Farming Today 6.25
Prayer for the Day with
Mary Murphy 6.30 Today Int.
6.30, 7.00, 7.30, 8.00, 8.30
News 6.55, 7.55 Weather 7.45
Thought for the Day 8.45 The
World's Poeth Corner
by A.A. Milne. Read by Alan
Barnett (2/5) (r) 8.55 Weather
9.00 News
4.05 Clock Radio: 071-580
4444. Links open from 8am
0.00-10.30 News: Cactinehine (FM
only)
CHOICE: Cliff Michelson's
three-part interview, which
takes in selected spots along
the Devon coast, confirms
what many have long known
about Michelson's that his
reporting is always to the
point, and tells us what some
of the news is known about
Devon (that there is much
more to it than cream teas and
clous). Today's interview
includes a terrific talk about
the rescue by RAF helicopter
of a young kid who was
climbing from his dinghy had
drifted to sea (5)
0.00 Daily Service (LW only)
0.15 Paradise Lost (LW only):
John Milton's poem (35/41)
0.30 News
Specialist investigates how
people pray, Int. 11.00 News
1.30 Medicine Now, with Geoff
2.00 You and Yours, with John
McAulay
2.25 The Friend In the Corner:
The fourth of six programmes
exploring the role of the
volunteer 1958 (r) 12.55
Weather
1.00 The World at One
1.40 The Archers (r) 1.55
Shipping Forecast
2.00 News: Thirty-Minute
Theatre: Sweet Tooth. Mel
Calman (cartoonist for The
Times) wrote this comedy for
comic thrills, who stars as a
rum baba on a bishop's
pasty shift. Don't Lewis and
Morag Hoad play George
and Alice, whose on-air love
scene wreathes his existence
(r)
2.30 Richard Baker Compares
Notive with David Hill, the
organist at Winchester
Cathedral, and choir members
Francis Pott and James
Graham (r)
3.00 Savings and Roundabouts:
Dylan Winter meets five-year-
old Isaac who lives with his
parents' feigncourt for
six months a year
3.30 Painters, with Susan Marling
4.00 Kaleidoscope reviews The
Prisoner of Zenda on stage at
Greenwich, and a recording of
a new version of the opera; and
talks to choir girls about
their role in a boys' world (s)
4.45 Short Story: Night in Paris, by
Patrice Chaper, who lives in
Paris, tells the second of five
litter-sweet tales for Christmas
5.00 PM 6.50 Shipping Forecast
6.55 Weather
6.00 Six O'Clock News
6.30 Knowing Me, Knowing You:
Comic chat with Alan Partridge
7.00 News 7.05 The Archers (r)
7.25 File on it: In the second of two
programmes, Stuart Simon
reports on the reactions to the
challenge of Islam to Arab
governments
8.00 Science Now reports on last
year's meeting of the British
Psychology Society (r)
8.30 Walking the Dog: Narrated by
Brian Patten (r)
8.45 In Touch: Tony Bunting
presents the message for
people with a visual handicap
9.15 Kaleidoscope (s) (r)
9.45 The Finest Hour: With
commentary by Roger White (s)
9.55 Weather
10.00 The World Tonight, with
Richard Kershaw (s)
10.45 A Book at Bedtime: Escape
from Siberia, by the author
Andrew Sachs reads the third
of five parts (s)
11.00 The World Programme, with
Diane Taylor (r)
11.30 News: The same talks
with Trevor Ingram, coxswain of
the Padstow Wherry and
winner of two RNLI silver
medals (r)
12.00-1.00 News, Int. 12.27
- Weather 12.33 Shipping 12.43
- World Service (LW only)

FREQUENCIES: Radio 1: 1053/kHz/285m; 1059/kHz/275m; FM 97.5-99.8.
Radio 2: FM-88-90.2. Radio 3: FM-90.2-92.4. Radio 4: 1984/1515m; FM
92.4-94.8. Radio 5: 653kHz/4743m; 908kHz/330m. BBC 1: 1154kHz/224m; FM
93.7. Capital: 1548kHz/194m; FM-95.5, 93.7. Choice/FM: 100.1. BBC 2: FM

SKY MOVIES+

8.00am Showcaste (5567416)
 9.00am *Ernest & Jack* (17803)
 10.00am *Ernest Saves Christmas* (17803): Jim Varney teams up with Santa (17803)
 11.00am *Blackboard Jungle* (1974): William Holden
 12.00pm *The Death of a Doctor* (1974): William Holden
 1.00pm *Adventures with the scientist and his assistant* (1974)
 2.00pm *Water Planet* (1981)
 3.00pm *Steve Martin and Rachel Ward interact with stars from Hollywood classics* (2174)
 4.00pm *Blackboard in Medicine* (1981): Rosalind Wiseman
 5.00pm *Blackboard in Medicine* (1981): Rosalind Wiseman
 6.00pm *Blackboard in Medicine* (1981): Rosalind Wiseman
 7.00pm *Blackboard in Medicine* (1981): Rosalind Wiseman
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 11.00pm *Blackboard in Medicine* (1981): Rosalind Wiseman
 12.00am *Blackboard in Medicine* (1981): Rosalind Wiseman

SKY SPORTS

6.00am *Soccer (191454)* 7.00 *FA Premier League: Norwich v Wolves* (10059) 8.00 *Soccer (191454)* 9.00 *Soccer (191454)* 10.00 *Soccer (191454)* 11.00 *Soccer (191454)* 12.00 *Soccer (191454)* 1.00pm *Soccer (191454)* 2.00pm *Soccer (191454)* 3.00pm *Soccer (191454)* 4.00pm *Soccer (191454)* 5.00pm *Soccer (191454)* 6.00pm *Soccer (191454)* 7.00pm *Soccer (191454)* 8.00pm *Soccer (191454)* 9.00pm *Soccer (191454)* 10.00pm *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00am *Soccer (191454)* 12.00pm *Soccer (191454)* 1.00pm *Soccer (191454)* 2.00pm *Soccer (191454)* 3.00pm *Soccer (191454)* 4.00pm *Soccer (191454)* 5.00pm *Soccer (191454)* 6.00pm *Soccer (191454)* 7.00pm *Soccer (191454)* 8.00pm *Soccer (191454)* 9.00pm *Soccer (191454)* 10.00pm *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454)* 1.00am *Soccer (191454)* 2.00am *Soccer (191454)* 3.00am *Soccer (191454)* 4.00am *Soccer (191454)* 5.00am *Soccer (191454)* 6.00am *Soccer (191454)* 7.00am *Soccer (191454)* 8.00am *Soccer (191454)* 9.00am *Soccer (191454)* 10.00am *Soccer (191454)* 11.00pm *Soccer (191454)* 12.00am *Soccer (191454*

SKY MOVIES GOLD

11:30pm **Huckleberry Finn** (1974): Mark Twain's boyhood tale (5/1000)
 12:30 The **Adventures of Sherlock Holmes** (1982): The great detective (9/1000)
 1:30 **The Night Shift** (1983): Drama about the birth of the American space programme (7/6877) Ends at 11:15

THE MOVIE CHANNEL

11:30pm **Star Wars: The Force Awakens** (2015): The first new Star Wars movie in 35 years (9/1000)
 12:30 **The Untouchables** (1960): The first of the TV series' feature films (7/1000)
 1:30 **The Untouchables** (1960): The first of the TV series' feature films (7/1000)
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 11:30 **The Untouchables** (1960): The first of the TV series' feature films (7/1000)

RADIO 1

10.00am **Wright's 6.00am** Mark Goodier's **Mega Hits** 6.00am
10.00am **Andrew Aitchison** 10.00am **Jack Gemm** 10.00am
10.00am **Jack Gemm** 10.00am **Jack Gemm** 10.00am
10.00am **Jack Gemm** 10.00am **Jack Gemm** 10.00am

RADIO 2

10.00am **Wright's 6.00am** Mark Goodier's **Mega Hits** 6.00am
10.00am **Andrew Aitchison** 10.00am **Jack Gemm** 10.00am
10.00am **Jack Gemm** 10.00am **Jack Gemm** 10.00am
10.00am **Jack Gemm** 10.00am **Jack Gemm** 10.00am

RADIO 5


10.00am **Wright's 6.00am** Mark Goodier's **Mega Hits** 6.00am
10.00am **Andrew Aitchison** 10.00am **Jack Gemm** 10.00am
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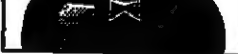
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Brady demands improvement from Celtic

Rangers look to Europe to solve player shortage

By OUR SPORTS STAFF

RANGERS may be forced to turn to Europe in their search for reinforcements before the European Cup transfer deadline expires on January 15.

Even though Walter Smith, the Rangers manager, does not want to increase his seven-strong complement of overseas players, he is faced with a shortage of available Scottish players of the standard he is looking for.

"It's a difficult situation," Smith said yesterday. "If I'm going to buy, it needs to be a Scottish player, but there are few available at present of the standard we are looking for. You don't have to be a magician to pick out the Scottish players you'd go for now, but if they are not available then you do have a little problem."

Smith recently made an unsuccessful enquiry about Aberdeen's Dutch forward, Hans Gillhaus, and may have to resort to buying more foreign players out of necessity. Even so, restriction on the number of overseas players eligible to play in the European Cup has meant Rangers have had to contest ties this season with Gary Stevens, Dale Gordon and Pieter Huistra sitting idle in the stand.

"With the amount of matches we have to play going into the final stages of the season, we may need an extra body or

two," Smith said. "Hence the reason we enquired about Gillhaus. Rather than go without, we may have to enter into the European scene."

Meanwhile, Rangers, who reach the half-way mark in the championship on Saturday, are still unsure as to the length of time their defender, John Brown, will be absent. Brown will definitely miss the game against his former club, Dundee — the only team to beat Rangers this season — after being taken into hospital at the weekend.

Appendicitis was originally diagnosed, but doctors decided not to operate because the inflammation settled down. He was detained for further tests.

Liam Brady today set a target of maximum points from the holiday programme to keep Celtic on the fringe of the championship race north of the border. The Parkhead club, beaten away from home for the first time in 13 months on Saturday, tackle Dundee United this weekend then Rangers at Ibrox the following Saturday.

Anything less than four points would force Celtic to drop out of the championship chase and leave the field clear to Rangers and Aberdeen to sort it out between themselves.

Celtic are six points behind Rangers, who have the insurance of two games in hand

and Brady said: "Realistically, we must take the four points from those games if we are to stay in contention. Our priority is Saturday's game against Dundee United at Parkhead. These games are always entertaining, but this time the result is paramount."

Celtic know it is a make-or-break period. Saturday's defeat by Heart of Midlothian was one of their weakest displays of the season and Brady acknowledged: "That was a major disappointment — not our style at all. We simply have to pick ourselves up and be positive. If we can beat United, it would set us up nicely to have a real go at Rangers on January 2. We want to give our fans something to be happy about over Christmas and the New Year."

Clyde and Celtic have agreed to an early kick-off for their Tennents Scottish Cup third-round tie on January 9. The venue for the match — Douglas Park, Hamilton — is close to Motherwell, where the Cup-holders, Rangers, are scheduled to be in action at Fir Park.

As both sets of Old Firm supporters will be travelling on the M74 that afternoon, Clyde and Celtic will now start at 2pm with Motherwell and Rangers kicking off an hour later.

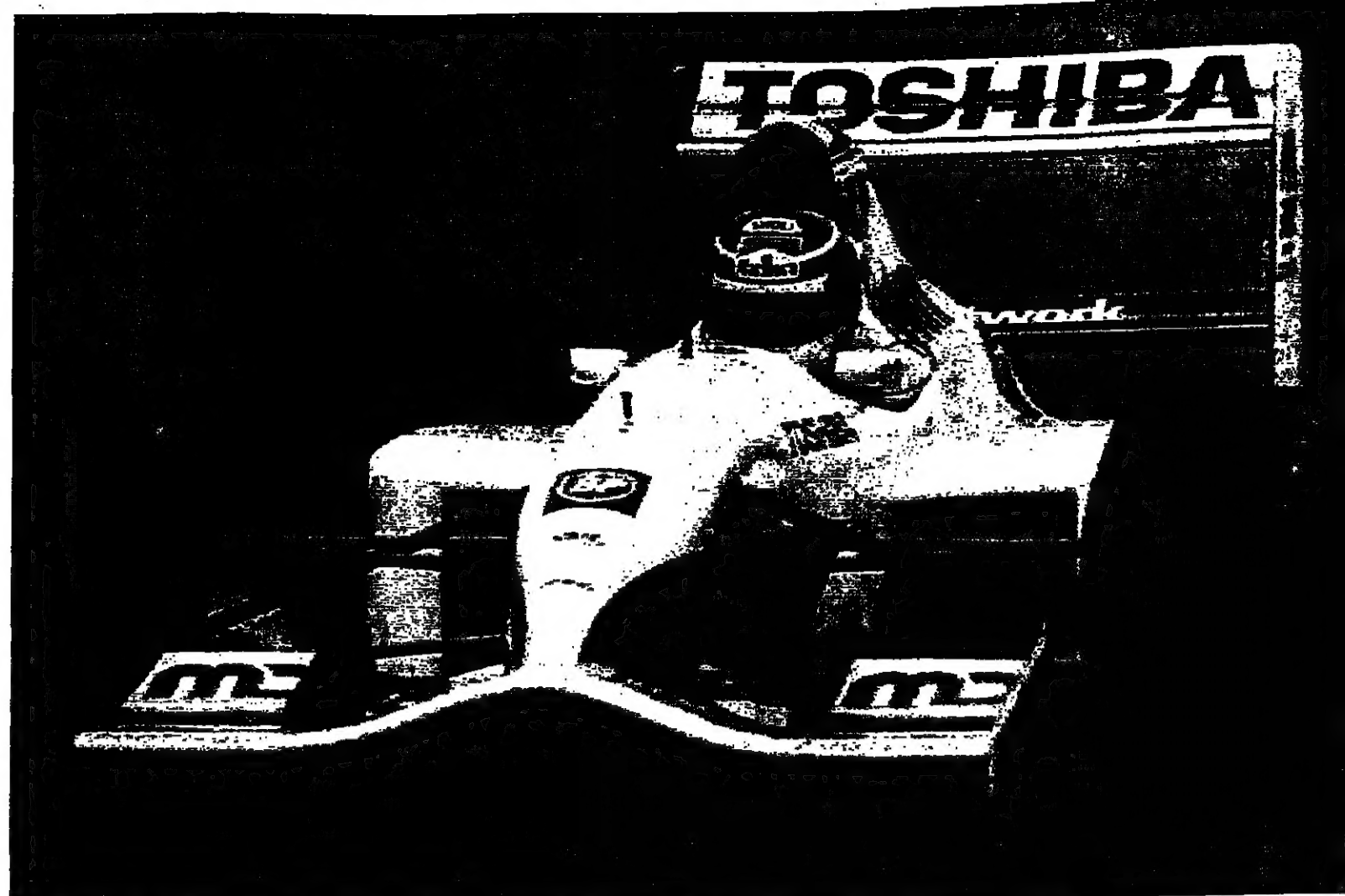
Taylor's bad year, page 30

Denmark ring changes

Copenhagen: Several members of the Denmark squad that won the 1992 European football championship were left out of the party, announced yesterday, for two international matches against the United States.

Richard Moller Nielsen, the manager, retained only five of his squad from Sweden — Mogens Krogh, the goalkeeper, Claus Christensen, the defender, midfield players Henrik Larsen and Kim Vilfort, and the forward, Lars Elstrup. Among those omitted were Flemming Povlsen, of Borussia Dortmund, Brian Laudrup, of Fiorentina, and the Manchester United goalkeeper, Peter Schmeichel.

Denmark are to play the Americans in Phoenix on January 30 and in Los Angeles, probably on February 3. They have won only one of five matches since their success in the summer. (AP)



Testing time: Derek Warwick, the British driver, puts the Footwork Formula One car through its paces during trials at the Paul Ricard track at Le Castellet yesterday. The new world championship season opens in South Africa on February 28. Senna drives Indy, page 28

Pakistan rejects Graveney

Islamabad: Pakistan want the former England batsman, Tom Graveney, to be replaced as the match referee for their forthcoming tour of the West Indies.

Graveney, 65, the former Gloucestershire and Worcestershire player, enraged Pakistan opinion five years ago during the Mike Gatting-Shakoor Rana umpiring controversy when he was quoted as saying: "They [the Pakistanis] have been cheating us for 37 years and it's getting worse."

The Board of Cricket Control of Pakistan (BCCP) wrote yesterday to the International Cricket Council (ICC) suggesting three names to replace Graveney. The men put forward were the former Indian captains, Mansur Ali Khan Pataudi and Sunil Gavaskar, and the New Zealander Frank Cameron, who played 19 times for his country in the 1960s.

"The board feels this [Graveney] is not a judicious selection," the BCCP secretary general, Shahid Rafiq, said. "There are many other referees on the ICC list and we would appreciate if someone else was nominated."

He said he had received a faxed message from Lord's, from the ICC secretary, John Stephenson, explaining that Graveney's remark was a "throwaway line" that was never meant seriously.

Graveney had earlier expressed the hope that the matter could be resolved. "It would be a great honour to do the job and I hope it hardly needs saying that I would be totally impartial," he said.

Rafiq, however, pointed out that Graveney's remark was widely known and his appointment might not be in the best interests of the ICC give the wide choice at its disposal.

During their tour of the Caribbean, Pakistan will play five one-day internationals and three Test matches between March 23 and May 6. The Tests are scheduled for Port-of-Spain, Bridgetown and Antigua. (Reuters)

Border defiant, page 29
Raja stakes claim, page 29

Tribunal considers Livingston's plea

By JOHN GOODBODY

JASON Livingston, the British sprinter who was sent home from the Olympic Games because of a positive reaction to an out-of-competition drug test, yesterday pleaded his innocence at a disciplinary hearing in London.

Livingston, nicknamed "Baby Ben" because of his physical resemblance to the disgraced Canadian sprinter Ben Johnson, faces the possibility of a four-year ban if the panel finds him guilty, although he still has the right of appeal. The decision by the British Athletic Federation (BAF) will be announced tomorrow.

Livingston, the European indoor 60 metres champion, was sent home from Barcelona for testing positive for methandolone, an anabolic steroid, in a test carried out in England before the Games.

The sprinter, who has consistently protested his innocence, has moved from his home from Surrey to Cardiff.

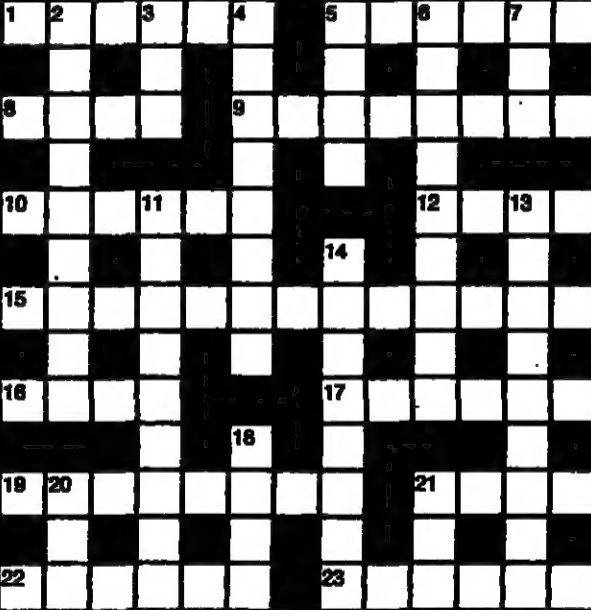
In October, at a preliminary hearing, he asked for more time to present his case and the hearing was adjourned until yesterday.

The panel consisted of Dr Nick Whitehead, a former manager of the British team, Bob Greenoak, a leading athletics official, and Jocelyn Hoyte-Smith, the former international athlete.

The BAF has been particularly careful to observe protocol for the hearing following the legal confusion which has surrounded the suspensions of Karin Krabbe, the world 100 and 200 metres champion, and Buich Reynolds, the American 400 metres world-record holder who won a huge financial award against the International Amateur Athletic Federation.

Andrew Davies and Andrew Saxton, the two other Britons sent home from Barcelona, have subsequently been exonerated by the British Amateur Weightlifters Association (BAWLA).

CONCISE CROSSWORD NO 2977



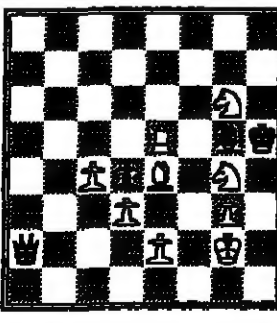
- ACROSS
1 Coin money (6)
2 Horn (6)
3 Make tea (4)
4 Conceited top (8)
5 Old healing art (6)
6 Yielding (4)
7 Total calm (5,3,5)
8 Eyelid swelling (4)
9 Humbly (6)
10 Pulling (8)
11 Magician's stick (4)
12 Simmered (6)
13 Portrait subject (6)
- DOWN
1 Skin manuscript (9)
2 Intimidate (3)
3 Distinctive (8)
4 Drug (4)
5 Small print (9)
6 West India resort (3)
7 Thing beyond criticism (6,3)
8 Assignment writer (9)
9 Snippets (8)
10 Discover (4)
11 Groove (3)
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SOLUTIONS TO NO 2976
1 Transatlantic 8 Kerry 9 Aileron 10 Nit
11 Tulle 12 Cabbage 14 Excess 15 Tea cup 20 Inertia
23 Gania 24 Via 25 Observe 26 Sushi 27 Fall into place
DOWN: 1 Take the lid off 2 Acrylic 3 Styrene 4 Thatch
5 Ad lib 6 Terra 7 Contemplative 13 Bass 15 Ear 17 Edges
up 18 Canasta 19 Caveat 21 Esau 22 Trevi

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WINNING MOVE

This position is from the game Larsen — Chandler, Foreign & Colonial Hastings Premier 1987/88. How did grandmaster Bent Larsen force a swift mate? This year's Hastings tournament features the Hungarian prodigy Judit Polgar. Further details from the British Chess Federation on 0424 442500 (Raymond Keene). Solution on page 27.



WORD-WATCHING

- By PHILIP HOWARD
RECIBIENDO
a. An official diplomatic receipt
b. A way of killing a bull
c. A civic reception committee
ORANS
a. An indecisive answer
b. Represented as praying
c. A South African antelope
SPINONE
a. A wry gun-dog
b. Fine silver and gold Pasta
c. Tumbleweed
TRIKINI
a. A woman's bathing suit
b. A type of yacht
c. An Aleut fish spear
Answers on page 27

Merriweather takes lead

By BARRY PICKTHALL

RICHARD Merriweather and his crew on Commercial Union retook the lead in the British Steel Challenge yesterday afternoon after pulling back 30 miles on John Chittenden's Nuclear Electric overnight.

Commercial Union, 200 miles to the south of Nuclear Electric, is enjoying more favourable winds than Chittenden's crew, but in terms of distance to Hobart and the finish of this second stage of the race, the two yachts are running neck and neck with three miles dividing them.

The consolation for Chittenden is that his yacht heads the race on total elapsed time, though Heath Insured,

the previous leader, will be compensated later for the time he crew lost last week going to the aid of Richard Tudor's damaged yacht British Steel II.

Chittenden, who reported that he expects to reach Hobart by January 6, nine days ahead of original estimates, said: "Morale is high. Christmas day will be like any other, apart from thinned meat replacing our dehydrated food. Alas, we have run out of potatoes, strawberry jam, coffee, hot chocolate and crackers."

"Our cigarettes ran out two weeks ago, and the smokers have taken to the skipper's pipe tobacco using silicon paper and Sellotape to keep it together."

Two hundred and fifty miles astern, another close race has developed for fourth place between Vivien Cherry's Coopers & Lybrand, Heath Insured, Group 4 Securix, skippered by Mike Golding, and Pride of Tossidae. Overnight, Adrian Donovan's crew on Heath gained the measure of their rivals on Group 4, and yesterday afternoon, the four yachts were divided by less than 70 miles.

LEADING POSITIONS (at 1500 GMT yesterday, with miles to Hobart): 1. Commercial Union (R Merriweather), 2,165 miles; 2. Nuclear Electric (J Chittenden), 2,182; 3. Nuclear Leger (P Goss), 2,344; 4. Coopers & Lybrand (V Cherry), 2,425; 5. Heath Insured (A Donovan), 2,492; 6. Group 4 Securix (M Golding), 2,494; 7. Pride of Tossidae (J Macdonald), 2,492; 8. Transocean (P Jukes), 2,730; 9. Phoenix Poling (P Phillips), 2,838; 10. British Steel II (J Gernstedt) - heading for New Zealand.

In search of an order of merit

By DAVID HANDS, RUGBY CORRESPONDENT

THE exclusion of Fred Howard from England's international panel of rugby union referees for the new year has wider ramifications. However contentious the decision is in domestic terms, it will also provoke considerable surprise overseas.

Howard's nine years as an international referee has earned him great respect outside the British Isles, in countries where they look cautiously at foreign officials. Ken McCartney, of Scotland, was widely criticised for his handling of the New Zealand-Australia match of 1991, partly because he was perceived as being the third or fourth best in his country, and the contending countries felt they deserved better than that.

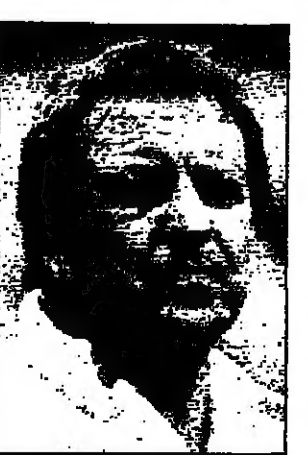
Decisions made on domestic grounds impinge on the international community. The Rugby Football Union's appointments committee is well aware of that, yet they may be less aware of the quality, or lack of it, in some of the major rugby playing countries overseas.

Travels around the world suggest that Australia, New Zealand and South Africa between them have only one official of Howard's calibre,

David Bishop, of New Zealand. That, of course, is an entirely subjective view; we of the media may look at games in a different way for assessors and selectors, but it is arguable whether one view is less valid than the other.

The appointments committee is looking for the indefinable element of form that will ensure a referee's survival in the heat of an international. It will take into account the marks awarded by assessors to referees, but will also make its own independent judgment of character.

There Howard has proved



Howard: respected

himself time and again. His reputation as a disciplinarian is well known. If his marks suggest that his standard has not slipped below the levels of his main rivals in England, and they do, then it is hard to understand why he has lost his place.

Howard, of course, has strayed into that dangerous area occupied only by the best referees: those confident enough in their judgment that they whistle according to the spirit as well as the letter of the laws, and that can sometimes mean skirting round the latter. It does leave them open to criticism that they are putting themselves above the law, whereas they are probably the men whose experience allows them to understand best what players are trying to achieve.

Howard's union has proposed a system based on merit rather than rota for five nations' championship appointments. Such a system was given an airing by English and Welsh representatives during the World Cup referee conference last year and met French opposition; it was raised again during a recent five nations' committee meeting, though no

change is yet apparent.

What has been proposed is a neutral appointments committee consisting of the chairmen of the existing selection panels of the five competing countries, and taking into account that a southern hemisphere referee will customarily receive two games in the championship.

Such a committee would be aware of the in-form referees — and form for officials can fluctuate during a season — and would appoint accordingly as the championship progressed. Thus a grand slam match, for instance, would be assured of the most experienced official available.

It would take into account the possibility that some countries, though they might not necessarily admit it, lacked any officials of appropriate standing. A central authority would monitor the performance of referees and recommend accordingly when close-season internationals were being considered. Such a system would not necessarily ensure that a specific referee, such as Howard, would be appointed but it would at least have the merit of merit.

Lloyd's call up, page 28

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